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ABSTRACT

As Part V of a series of publications of American Indian tribal governmental documents, this volume contains charters, resolutions, constitutions, and by-laws of some of the Indian tribes in Oklahoma. Twenty such documents are presented, representing the following Indian groups: Alabama-Quassarte, Caddo, Cherokee Nation and United Keetoowah, Cheyenne-Arapaho, Comanche, Delaware, Iowa, Kaw, Kialegee, Kickapoo, Miami, and Osage. Ten tribes are listed as not having developed their constitutions at the time of this writing. Presented in the initial section of the publication is the Oklahoma Indian Welfare Act, which authorized formation of self-governing bodies by the Indian tribes. As noted, the Act was also intended to promote the general welfare of Oklahoma's Indians and acknowledges the continued responsibility for guardianship and continuance of the policy of the government to establish justice for, and to promote general welfare of, Indians of the United States. Provided under the Welfare Act are sections of the statutes whereunder all Indians may be accorded all rights, opportunities, and privileges. A map shows locations of Oklahoma Indian tribes. (EL)

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CHARTERS, CONSTITUTIONS AND BY-LAWS OF THE INDIAN TRIBES OF NORTH AMERICA

Part V: [The Indian Tribes of Oklahoma (Alabama-Quassarte to the Osage)]

compiled/edited by

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Univ of Northern Colorado
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80631

March, 1968

RC004943

Acknowledgment

The editor is indebted to the following persons for providing, and extending permission to reproduce herein, the charters, resolutions, constitutions and by-laws of the Indian Tribes of Oklahoma (Alabama-Quassarte to the Osage).

**

Sally Rosenberg, Bureau Correspondence Office, Department of the Interior, Bureau of Indian Affairs, Washington, D.C.: Kaw Indian Tribe, and the Kialegee Tribal Town.

Earl Boyd Pierce, General Counsel Cherokee Nation, Muskogee, Oklahoma: The Cherokee Nation.

Clyde Busey, Tribal Operations Officer, Bureau of Indian Affairs, Muskogee, Oklahoma: Alabama-Quassarte Tribal Town; the United Keetoowah Band of Cherokee Indians; and, the Miami Tribe.

William W. Grissom, Superintendent, Bureau of Indian Affairs, Anadarko, Oklahoma: Comanche and Delaware Tribes.

Andrew F. Dunlap, Anadarko, Oklahoma: Caddo Tribe.

Area Field Representative, Concho Agency, Bureau of Indian Affairs, Concho, Oklahoma: Cheyenne and Arapaho Tribes.

Area Field Representative, Bureau of Indian Affairs, Shawnee Agency, Shawnee, Oklahoma: Iowa and Kickapoo Tribes.

Howard Johnson, Superintendent, Bureau of Indian Affairs, Osage Agency, Pawhuska, Oklahoma: Osage Indian Tribe.

The Kiowa Tribe voters rejected their proposed Constitution and By-Laws at a December 9, 1968, election.

As one searches through the two monographs on the Constitutions and By-Laws of the Indian Tribes of Oklahoma, the study might appear to be incomplete because several notable tribes are missing. However, the report is presently complete; the following tribes simply have not yet developed their constitutions and by-laws:

Apache, Cherokee, Chickasaw, Choctaw, Creek, Kiowa, Missouria, Otoe, Quapaw, and the Seminole (of Oklahoma).

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OKLAHOMA INDIAN WELFARE ACT

49 Stat. 1967

An act to promote the general welfare of the Indians of the State of Oklahoma, and for other purposes

Be it enacted, etc., That the United States, acting through the Congress, hereby readmits, reacknowledges, and assumes continued responsibility for the guardianship of our Indian citizens and, in exercising such guardianship, does hereby pledge such Indian citizens of all tribes that it is and will be the continuing policy of the Government to establish justice for and to promote the general welfare of the Indians of the United States.

SEC. 2. Pursuant to the general policy set forth in Section 1 hereof, the Government, acting through the Congress, hereby declares it to be for the best interest and general welfare of the Indians of Oklahoma to provide a plan whereunder all Indians may be accorded all rights, opportunities, and privileges and may eventually assume full responsibility as citizens in the said State and Nation. Pursuant to such policy the following specific things to be done are hereby set forth:

(a) The restricted lands, funds, or other property of the Indians of the State of Oklahoma, as herein provided are to be retained in the custody of the Secretary of the Interior, in trust, save as provided in this act, but nothing herein contained shall be construed as reimposing restrictions on any such property from which the restrictions have previously been removed.

(b) The restricted lands, funds, or other property belonging to competent adult Indians, as herein provided for, shall be relieved by the Secretary of the Interior of all restrictions as rapidly as the best interests of such Indians will permit and justify.

(c) The Government hereby declares its policy to be that the aged, infirm, and incompetent Indians shall have every possible care, assistance, and protection and that the Indian youth shall have educational facilities and advantages to the end that they may assume their place among the citizenship of the State and Nation.

(d) All claims held by any Indian tribe, group, or band against the Government shall be considered and adjudged, and such amounts as may be found to be due any such tribe, group, or band shall be paid and expended as may be provided by law.

(e) Pursuant to the provisions of paragraph (b) of Section 2, the Secretary of the Interior at least once during each 4-year period shall cause to be created a competency commission, and such commission shall make a survey and examination of each adult Indian of the State of Oklahoma in order to ascertain whether such Indian is qualified and should have his or her restrictions removed on all or any part of any property, real or personal, of such Indian, and in the event the recommendations of such commission are favorable to the removal of the restrictions in whole or in part the Secretary of the Interior is authorized to issue patent in fee to such Indians for or otherwise remove the restrictions from such lands, property, and funds, as may be recommended by such commission, and which property and funds are in the possession or under the jurisdiction of the Secretary of the Interior: Provided, however, That such competency commission shall consist of at least one qualified Indian representative of the respective tribe or tribes to be so visited and examined, together with the superintendent or other officer in charge of the respective agency or school having jurisdiction over such tribe or tribes, and one other member to be designated by the Secretary of the Interior for such purpose: Provided further, That the Secretary of the Interior at any time may exercise the authorities specified in Section 7 of this act.

SEC. 3. It is hereby declared to be the policy of Congress to provide adequate educational facilities for the Indian population of the State of Oklahoma, with preference to those of one-quarter or more of Indian blood, as follows:

(a) The present policy of providing funds for the payment of tuition to public State schools for Indian children shall be continued and maintained.

(b) All existing Indian boarding schools shall be continued as now operating until otherwise provided by law.

(c) Funds may be made available for the purpose of constructing, equipping, and maintaining school buildings in such sections as may be deemed necessary for carrying out the policy stated and the intent of this section.

(d) The Secretary of the Interior is hereby authorized and directed to make diligent effort to provide adequate educational facilities for all Indian children of school age: Provided, That preference in the boarding schools shall be given to Indian children without means of support, Indian children retarded because of lack of educational facilities, and orphaned Indian children.

SEC. 4. From time to time, as conditions require, funds shall be provided for maintenance of existing boarding and day schools, hospitals, and sanatoria, and for the construction of such additional day schools, hospitals, and sanatoria to provide adequate school and hospitalization facilities for the Indians of Oklahoma, with preference to those of one-quarter or more of Indian blood.

SEC. 5. That when used in this act the term "tribe" shall be construed to mean any Indian tribe, organized band, or group of Indians composed of persons on the classified rolls of the Indian Office or persons containing one-half or more of Indian blood and residing in the State of Oklahoma.

SEC. 6. For the purpose of providing lands for Indians in the State of Oklahoma, the Secretary of the Interior is hereby authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange,or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted lands now in Indian ownership, allotted or inherited, whenever said Secretary deems it advisable to permit the present Indian owner or owners to part with the same or their interests therein. In the sale of any restricted Indian land, pursuant to the terms of this or any other act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by appraisement satisfactory to the Indian owner or owners of such restricted land, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor. Title to all land so acquired or set aside shall be taken in the name of the United States, in trust for the tribe, band, group, or individual for whose benefit such land is so acquired, and the Secretary of the Interior is hereby authorized to designate or proclaim the tribe, band, community, or group of Indians for whose benefit such land is so acquired, and said Secretary is further authorized to prescribe such rules and regulations as he may deem necessary to control the use, management, and operation of such lands for the benefit of the Indians, including the assignment of the right to use part or parts of such land by individual Indians, the ownership of any improvements placed thereon by or at the expense of the occupant to remain in such occupant and to be devisable and inheritable under such rules and regulations as the Secretary of the Interior may prescribe, and not otherwise: Provided, That in accepting title to any individually owned restricted Indian land for the benefit of any tribe or group of Indians, the Secretary of the Interior, in consideration for such conveyance, may assign the same land to or for the benefit of the former Indian owner or owners, for such period or periods as the said Secretary may deem proper, including a further right or power in such former owner or owners to lease such land to third parties, upon such terms and conditions as the Secretary of the Interior may prescribe: Provided, however, That nothing herein contained shall be construed as granting or recognizing in any such individual occupant or his or her heirs, any title to any tribal or communally owned lands so occupied, or as giving to the courts of the State of Oklahoma any jurisdiction over any matter affecting the title to, right to use or occupy, or the ownership of any improvements located on any such tribal or communally owned lands; all of which questions are hereby committed to the exclusive jurisdiction of the Secretary of the Interior. Any restricted land, funds, or other securities belonging to Indians of the State of Oklahoma shall, while held by the Secretary of the Interior, be free from any and all taxes save those provided by existing law.

SEC. 7. That at any time prior to the expiration of the existing period of trust or other restrictions against alienation of any lands, funds, or other property belonging to any Indians of the State of Oklahoma, whether held under a trust, tribal, or other form of patent, deed, or any other instrument containing restrictions against alienation, the President of the United States be, and he is hereby, authorized in his discretion, to extend such trust or other restricted period for such further period or periods as he may deem best: Provided, however, That during such trust or restricted period, or any extension or extensions thereof, the Secretary of the Interior, in his discretion, whenever satisfied that the best interest of the Indian owner or owners of such restricted property, and that of his immediate family, would best be served thereby, may, with or without application from the Indian owner or owners, remove the restrictions in whole or in part, in such manner and under such rules and regulations as the said Secretary may prescribe: Provided further, That before removing the restrictions from any land, funds, or other property, belonging to any adult restricted Indian, without the consent of such Indian, the Secretary of the Interior shall give at least 30 days' notice in writing to such Indian owner to show cause why such action should not be had: Provided further, That in any case wherein a restricted Indian has applied to the Secretary of the Interior for the removal of his or her restrictions on land, property, securities, or funds and such application has been rejected, and in any case wherein the Secretary has acted to remove restriction or issue a patent in fee without the consent of the Indian owner of the restricted property, an appeal will lie to the Federal court under whose jurisdiction the land is located and if the application is for the removal of restrictions on property, securities, or funds only, then the appeal will lie to the Federal court having jurisdiction of the legal residence of the applicant and if the Federal court shall find that the action of the Secretary of the Interior in denying such applications wasarbitrary, or without due regard to the best interests of the Indian applicant and that of his immediate family such court may, in its discretion, overrule the action of the Secretary of the Interior and the decision of the Federal court shall be final and binding upon the Secretary of the Interior. In all cases where appeals are authorized as provided herein, the applicant is entitled to have a certified copy of all papers, including the application and order of rejection, and such applicant shall pay all necessary expenses in connection with the preparation and certification of such transcript: Provided further, That, in the event an appeal is taken as authorized herein and such appeal is denied by any Federal court, then the costs of such appeal shall be assessed and taxed against the applicant: And provided further, That nothing contained in this act shall be construed as authorizing the removal of restrictions on Osage headrights owned or possessed by persons of Indian blood, which shall remain inalienable, except by will, as now provided by law.

SEC. 8. That the provisions of Sections 2, 3, 4, 5, 6, and 7 of the act of January 27, 1933 (47 Stat. 777), entitled "An act relative to restrictions applicable to Indians of the Five Civilized Tribes in Oklahoma", be, and the same hereby are, made applicable to all Indians of said State, regardless of tribe or degree of Indian blood, and all such Indians having any restricted lands, funds, or other property shall have the right, at their election, either to create private trusts out of such restricted property, pursuant to the terms of said act, or allow the same to remain subject to supervision of the Secretary of the Interior: Provided, That it was not intended by the enactment of Section 1 of said act to make it retroactive, to extend restrictions on lands other than homesteads of the Indians therein described, or to restrict funds which otherwise were unrestricted after April 26, 1931.

SEC. 9. Any group of Indians residing on any area of tribal land or on land acquired by the United States for the use of Indians shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: Provided, however, That the total vote cast shall not be less than 40 percent of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the act of June 18, 1934 (48 Stat. 984).

The Secretary of the Interior may from time to time delegate and convey to a corporation so chartered, subject to any qualifications that may appear necessary or desirable, any or all powers now vested in the Secretary of the Interior or in the Commissioner of Indian Affairs with respect to the management or control of lands, funds, or other property held or enjoyed by the corporation or its members, the administration of services performed by the Interior Department for such corporation or its members, or the regulation of the conduct or affairs of such corporation and its members. Such action shall become effective when ratified by a majority vote of the adult members of the corporation voting: Provided, however, That the total vote cast shall not be less than 40 percent of those entitled to vote. Wherever the management and control of its funds shall be vested in an Indian corporation, such funds may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

SEC. 10. The Secretary is authorized and directed to establish an Oklahoma Indian

Credit Corporation, hereinafter referred to as the "Corporation", to issue a charter to such corporation, defining its powers, and providing for a board of directors to serve without pay and to consist of seven members, one of whom shall be the director of credit of the Indian Credit Administration, and four of whom shall be representative Indians of the State of Oklahoma, and to appoint, at a salary determined by him, a manager for such corporation. In addition to any powers which the Secretary may delegate to such corporation necessary for the proper performance of its functions, such corporation shall be authorized in its charter to purchase stock in and to make loans to Indian cooperative credit, producers, consumers, marketing, and land management, associations and to individual Indians as defined in the act of June 18, 1934 (48 Stat. 984), under rules and regulations prescribed by the Secretary of the Interior: Provided, That no loan shall be made to any individual unless the establishment of a cooperative credit association in an area reasonably convenient to such individual has been proved to the satisfaction of the corporation not to be feasible: Provided further, That no loan to any individual or association nor purchase of stock shall be made without the approval of the manager of the corporation. For the purposes and expenses of the corporation and cooperative associations organized pursuant to this act, there shall be appropriated, out of the Treasury of the United States, the sum of $2,000,000.

SEC. 11. Any 10 or more Indians, as defined in the act of June 18, 1934 (48 Stat. 984), who reside in convenient proximity to each other may petition the corporation for a charter for a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers' protection or land management. Upon approval of the petition by the corporation and by the Secretary, the Secretary shall issue to such person a charter defining the powers of such cooperative association, the district within which it shall operate, and the conditions of membership, and prescribing the manner of conducting its business. The provisions of this act, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto, shall govern such cooperative associations but in those matters not covered by said act, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. All credit associations shall, and any other cooperative association may, possess voting and nonvoting stock with a par value as fixed in the charter. The nonvoting stock shall be purchased by the corporation or otherwise taken by it in exchange for loans made to the cooperative associations in such proportion to the loans made as may be prescribed in the regulations of the Secretary. The voting stock shall be issued only to members of the cooperative association, and must be purchased by every member thereof to the amount required in the charter of the association; except that every credit association shall require its members to possess stock to the amount of 5 percent of the face value of any loan. Any member may pay for such stock either by cash supplied by him or through assignment to the association of a part of his patronage dividend. In any stock or nonstock cooperative association, no one member shall have more than one vote, and membership therein shall be open to all individuals of one-half or more Indian blood residing within the prescribed district. Any Indian, regardless of his degree of blood, who has relinquished to the Secretary title to land and who has been assigned land by said Secretary pursuant to Section 6 of this act is entitled to become a member of a land-management association. The officers of all cooperative associations must be approved by the corporation, and all books and accounts of such associations shall at all times be open to inspection by the corporation or the Secretary.

SEC. 12. The corporation shall continue until otherwise directed by act of Congress; and the charters of all cooperative associations organized pursuant to this act shall not be amended or revoked by the Secretary except after a majority vote of the membership. The charters of the said corporation and cooperative associations may convey the right to make contracts, to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of their business, to prescribe fees and charges, subject to the regulations of the Secretary, for loans and other services, to buy and sell stocks in their own or other associations or corporations; and such other powers as may, in the judgment of the Secretary, be necessary and incident to carrying out the powers and duties described in this act. Said corporation and cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the corporation. Within 20 days after such service or within such extended time as the trial court may permit, the corporation may intervene in such action of the Secretary, upon the request of the corporation, may remove such action to the United States district court to be held in the district where such petition is pending by filing in such action in the State court a petition for such removal together with the certified copy of the papers served upon the corporation. It shall then be the duty of the State court to accept such petition and proceed no further in such action. The said copy shall be entered in the said district court within 20 days after the filing of the petition for removal, and the said district court is hereby given jurisdiction to hear and determine said action.

In addition to the foregoing powers the cooperative associations may, by delegation from the Secretary of the Interior, receive the power to manage, operate, and assign lands purchased or acquired by the Secretary pursuant to Section 6 of this act and to regulate the leasing thereof and the disposition, use, inheritance, and devise of the improvements placed thereon.

SEC. 13. The provisions of this act are to be considered, held, and construed as supplemental to the rights, privileges, and benefits set forth and provided in the act of June 18, 1934 (48 Stat. 994): Provided, That the Indian tribes and Indian citizens of Oklahoma shall have equal rights, opportunities, and privileges under the provisions of the last-mentioned act when applicable: Provided further, That all funds appropriated under the several grants of authority contained in said act for the purchase of land as provided in Section 5 thereof; for the purpose of establishing a revolving fund as provided in Section 10 thereof; for the making of loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools as provided in Section 11 thereof; are hereby made available for use under the provisions of this act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth.

SEC. 14. For the purpose of carrying out the several provisions of this act and supplemental to the authorizations contained in the act of June 18, 1934 (48 Stat. 984), funds are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and all sums appropriated pursuant to this authority shall be expended under the direction and supervision of the Secretary of the Interior: Provided, That specific authority is hereby granted to appropriate funds for--

(a) General support and civilization, including education;

(b) For relief of distress and conservation of health;

(c) For industrial assistance and advancement and general administration of Indian property;

(d) For the enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects;

(e) For the employment of inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, and other employees;

(f) For the suppression of traffic in intoxicating liquor and deleterious drugs; and

(g) For the purchase of horse-drawn and motor-propelled passenger-carrying vehicles for official use.

SEC. 15. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

SEC. 16. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 17. This act may be cited as the "Oklahoma Indian General Welfare Act of 1935".

With the following committee admendment:

Strike out all after enacting clause and insert the following:

"That the Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership; Provided, That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made. Title to all lands so acquired shall be taken in the name of the United States, in trust for the tribe, band, group, or individual Indian for whose benefit such land is so acquired, and while the title thereto is held by the United States said lands shall be free from any and all taxes, save that the State of Oklahoma is authorized to levy and collect a gross production tax, not in excess of the rate applied to production from lands in private ownership, upon all oil and gas produced from said lands, which said tax the Secretary of the Interior is hereby authorized and directed to cause to be paid.

"SEC. 2. Whenever any restricted Indian land or interests in land, other than sales or leases of oil, gas, or other minerals therein, are offered for sale, pursuant to the terms of this or any other act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by appraisement satisfactory to the Indian owner or owners, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor.

"SEC. 3. Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the orgahization voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the act of June 18, 1934 (48 Stat. 984): Provided, That the corporate funds of any such chartered group may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

"SEC. 4. Any 10 or more Indians, as determined by the official tribal rolls, or Indian descendants of such enrolled members, or Indians as defined in the act of June 18, 1934 (48 Stat. 984), who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers' protection, or land management. The provisions of this act, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto shall govern such cooperative associations: Provided, That in those matters not covered by said act, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. In any stock or non-stock cooperative association no one member shall have more than one vote, and membership therein shall be open to all Indians residing within the prescribed district.

"SEC. 5. The charters of any cooperative association organized pursuant to this act shall not be amended or revoked by the Secretary except after a majority vote of the membership. Such cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the Secretary of the Interior, or upon an employee duly authorized by him to receive such service. Within 30 days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States District Court to be held in the district where such petition is pending by filing in such action in the State court a petition for such removal together with the certified copy of the papers served upon the Secretary. It shall then be the duty of the State court to accept such petition and to proceed no further in such action. The said copy shall be entered in the said district court within 30 days after the filing of the petition for removal, and the said district court is hereby given jurisdiction to hear and determine said action.

"SEC. 6. The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this act. For the making of such loans and for expenses of the cooperative associations organized pursuant to this act, there shall be appropriated out of the Treasury of the United States, the sum of $2,000,000.

"SEC. 7. All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984), are hereby made available for use under the provisions of this act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth: Provided, That any royalties, bonuses, or other revenues derived from mineral deposits under-lying lands purchased in Oklahoma under the authority granted by this act, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are hereby made available for expenditure by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this act and by the Act of June 18, 1934 (48 Stat. 984).

"SEC. 8. This act shall not relate to or affect Osage County, oklahoma.

"SEC. 9. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act. All acts or parts of acts inconsistent herewith are hereby repealed."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

***

Docket 17 B - Date of reference to Committee, August 19, 1935.

June 15, 1936 passed House.

June 18, 1936 the Senate agreed to House Amendment.

June 26, 1936 - signed by the President, Public Law No. 816.

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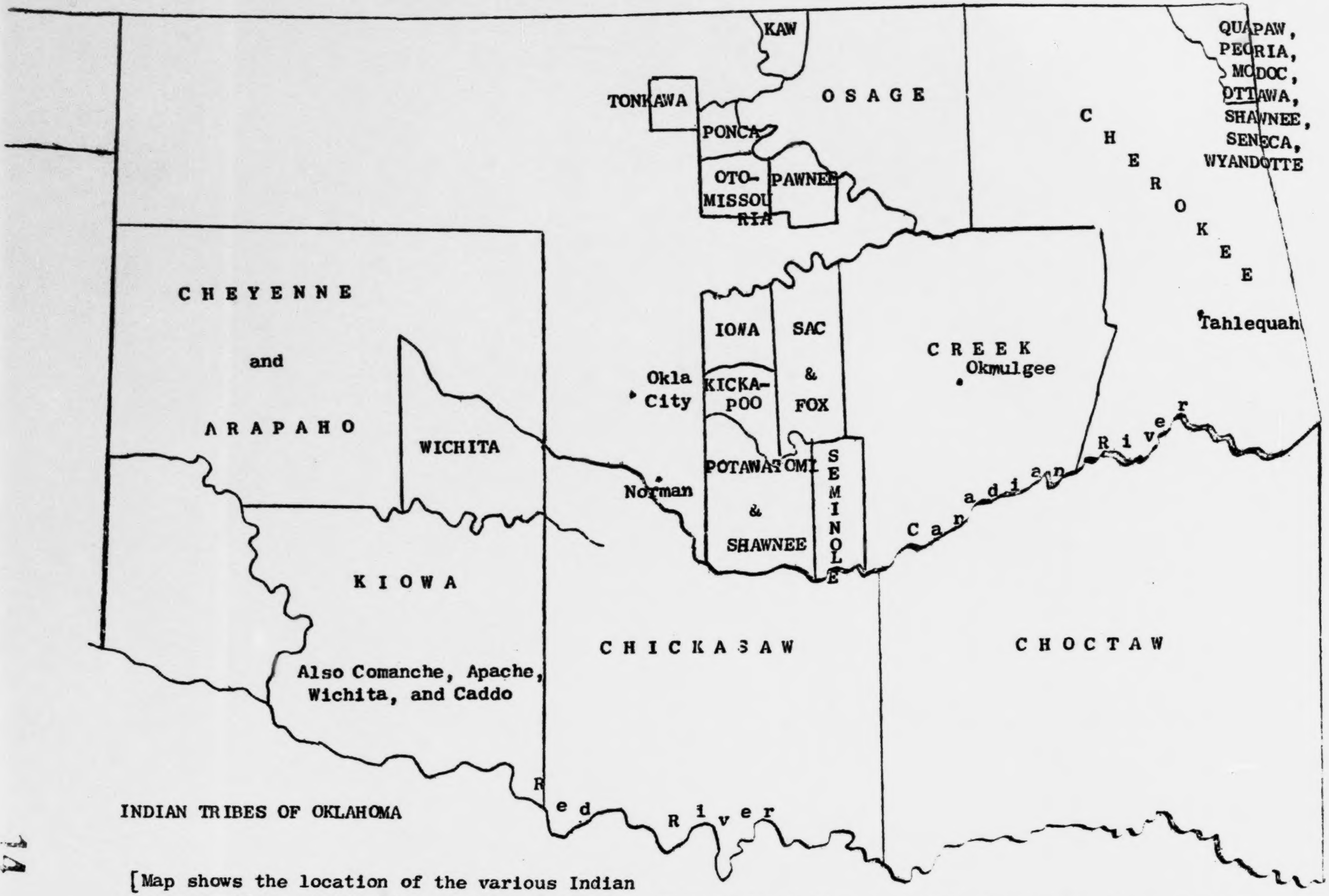
KAW
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PONCA
OTO-MISSOURIA
PAWNEE
CHEROKEE
QUAPAW, PEORIA, MODOC, OTTAWA, SHAWNEE, SENECA, WYANDOTTE
Tahlequah
CHEYENNE and ARAPAHO
IOWA
SAC & FOX
CREEK
Okmulgee
Okla City
KICKAPOO
WICHITA
POTAWATOMI & SHAWNEE
SEMINOLE
Norman
Canadian River
KIOWA
Also Comanche, Apache, Wichita, and Caddo
CHICKASAW
CHOCTAW
Red River

INDIAN TRIBES OF OKLAHOMA

[Map shows the location of the various Indian reservations at the time of land allotment. Many of the tribes are still located in their areas.]

CORPORATE CHARTER OF THE ALABAMA-QUASSARTE TRIBAL TOWN, OKLAHOMA

Ratified May 24, 1939

Whereas, the Alabama-Quassarte Tribal Town constitutes a recognized band of Indians residing in Oklahoma, organized under a constitution and by-laws, approved by the Assistant Secretary of the Interior on November 17, 1938, and ratified by the Indians of the said town on January 10, 1939, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said tribal town, by resolution of the Alabama-Quassarte officers duly authorized, has requested that a charter of incorporation be issued to the said tribal town, subject to ratification by a vote of the members of the tribal town;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 26, 1936, do hereby issue this charter of incorporation to the Alabama-Quassarte Tribal Town, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Alabama-Quassarte Tribal Town voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Alabama-Quassarte Tribal Town shall be:

(a) To define and safeguard the rights and powers of the Alabama-Quassarte Tribal Town and its members;

(b) To advance the standard of living of the town through the development of tribal town resources, the acquisition of new tribal town land, the preservation of existing landholdings, the better utilization of land and the development of a credit program for the tribal town;

(c) To promote in any other way the general welfare of the Indians of the Alabama-Quassarte Tribal Town.

2. Name, Membership, and Organization. The name of this corporation shall be the Alabama-Quassarte Tribal Town, as provided in the Constitution and Bylaws of the said tribal town. The membership, the officers, and the management of the incorporated tribal town shall be as provided in the said Constitution and Bylaws.

3. Corporate Powers. The Alabama-Quassarte Tribal Town, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and Bylaws of the tribal town, and subject to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936:

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any courts: Provided, however, That the grant or exercise of such power shall not be deemed a consent by the tribal town or by the United States to the levy of any judgment, lien or attachment upon the property of the tribal town other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the town may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), from any other governmental agency, from any member or association of members of the tribal town, or from any other source.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Alabama-Quassarte Tribal Town.

(i) To employ counsel for the protection and advancement of the rights of the tribal town and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal town assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or federal projects for the benefit of the tribal town prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal town land to members of the tribal town, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Alabama-Quassarte Tribal Town.

(n) To regulate the manner of holding tribal town elections.

(o) To regulate the procedure of the officers and membership and all other tribal town committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Alabama-Quassarte Tribal Town.

(q) To impose penalties on members of the Alabama-Quassarte Tribal Town for violation of the corporate by-laws or ordinances, not exceeding in any case $100 for any one offense, or in the alternative, expulsion from the town or suspension of voting rights therein.

(r) To purchase, take by gift, bequest or otherwise own, hold, manage, operate, and dispose of property of every description, real or personal.

(s) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(t) To protect all rights guaranteed to the Alabama-Quassarte Tribal Town by treaty.

(u) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the tribal town, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(v) To exercise such further powers as may in the future be delegated to the tribal town by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitations of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations:

(a) No tribal town land or interest in land shall ever be sold or mortgaged.

(b) No tribal town land or interest in land shall be leased for a longer period than ten years, except that oil, gas or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal town land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (48 Stat. 984).

(d) No assignment of future income, other than assignments to the United States, shall be made for more than five years in advance.

(e) In any attorney's contract hereafter executed by the tribal town, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the tribal town shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the tribal town of more than $5,000.

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(b) Any transaction by which the tribal town borrows money where such borrowing brings the total indebtedness of the tribal town, aside from loans from the Indian Credit Fund, to a figure in excess of $500.

(c) Any resolution or ordinance governing the making of land assignments to members of the tribal town, the acquisition of land from members of the tribal town, or the use of tribal town land by individuals.

(d) Any lease, grazing permit, or other contract affecting tribal town land, tribal town minerals, or other tribal town interest in land.

(e) Any per capita distribution of corporate income to members of the tribal town in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter, any power of review established by Section 5 may be terminated by the Secretary of the Interior with the consent of the Alabama-Quassarte Tribal Town membership. At or before the expiration of this ten-year period, the Secretary of the Interior may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the Alabama-Quassarte Tribal Town membership.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Alabama-Quassarte Tribal Town, not expressly referred to in the Constitution, By-laws or Charter of the said tribal town, shall not be abridged, but may be exercised by the people of the Alabama-Quassarte Tribal Town, through the adoption of appropriate additions and amendments to the Constitution, By-laws or Charter of the said tribal town. No property rights or claims of the Alabama-Quassarte Tribal Town existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The tribal town onership of unallotted lands, whether or not occupied by any particular individuals, is hereby expressly recognized. The individually owned property of members of the tribal town shall not be subject to any corporate debts or liabilities without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an Act of Congress, but amendments may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the tribal town. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote by all members of the tribal town, and shall be effective if approved by a majority vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Alabama-Quassarte Tribal Town, provided that at least 30 per cent of the eligible voters shall vote,such ratification to be formally certified by the Superintendent of the Five Civilized Tribes Agency and by the Town King and the Secretary of the tribal town.

Submitted by the Assistant Secretary of the Interior for ratification by the Alabama-Quassarte Tribal Town.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

WASHINGTON, D.C., April 7, 1939.

[SEAL]

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1938 (49 Stat. 1967), do hereby approve the attached Charter of the Alabama-Quassarte Tribal Town of Oklahoma, subject to ratification by the tribe in the manner therein provided.

Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Charter and the Constitution and By-Laws, approved by me November 17, 1938, and duly ratified by the tribe on January 10, 1939, are declared inapplicable to the Alabama-Quassarte Tribal Town of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws, and the Charter if, and when, ratified by the Tribe.

Approval recommended March 31, 1939.

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner of Indian Affairs.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D.C., April 7, 1939.

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CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Chapter, issued on April 7, 1939, by the Assistant Secretary of the Interior to the Alabama-Quassarte Tribal Town of Oklahoma, was duly submitted for ratification to the adult members of the Tribe, and was on May 24, 1939, duly approved by a vote of 36 for, and 3 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

HENRY SCOTT,
Town King, Alabama-Quassarte Tribal Town.

PORTER COACHMAN,
Secretary, Alabama-Quassarte Tribal Town.

A.M. LANDMAN,
Superintendent, Five Civilized Tribes Agency.

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CONSTITUTION AND BY-LAWS OF THE ALABAMA-QUASSARTE TRIBAL TOWN, OKLAHOMA

Ratified January 10, 1939

PREAMBLE

We, the Creek Indians of the Alabama-Quassarte Tribal Town, a recognized band of Indians composed of the former tribal towns of Alabama and Quassarte No. 1, in order to get the benefits of the Oklahoma Indian Welfare Act, do adopt the following constitution and by-laws to govern our town.

ARTICLE I

The name of this organization shall be the Alabama-Quassarte Tribal Town.

ARTICLE II — OBJECT

The object shall be to get land and either operate it together as a town or to assign it to members of the town for their use; to borrow money for general town enterprises as well as to relend it to its members; to protect the members of the town from loss of, or injury to, their land and property; to care for old and unfortunate members and to assist the injured to obtain proper medical and hospital care; to carry on the traditions of the town, and to promote the general welfare of the town and its members.

ARTICLE III — MEMBERSHIP

All persons who were on either the 1890 authenticated census roll or the 1895 pay roll of the towns of Alabama and Quassarte No. 1 were and shall be members. All persons born of parents both of whom were members when the person was born were and shall be members. All persons born of women who were members when the person was born were and shall be members. All persons born of non-Indian women whose fathers were members when the person was born were and shall be members. All members shall have equal rights except as set forth below in connection with eligibility for office.

ARTICLE IV — ADOPTION AND WITHDRAWAL OF MEMBERS

Any Indian may be adopted as a member by the Chief with the consent of the Governing Committee through its chairman, and with the consent of the Secretary of the Interior. All applications for adoption shall be investigated at the former home of the applicant and shall be acted upon within thirty days after they are made. No person not a citizen of the United States may be adopted as a member of the town unless he was residing in the following described territory on May 1, 1937:

The territory bounded on the west by a line running along the west line of Township 9N, 12E to the South Canadian River, on the south by the South Canadian River, on the east by a line running along the east line of Township 9N, 11E, on the north by Okfuskee county line.

Any person applying for adoption shall pay a fee of five dollars unless he was residing in the above described territory on May 1, 1937, or unless he is married to a member of the town. Any person who is adopted must give up all of his allegiance and rights arising from membership in any other Indian tribe or band, other than the Creek Nation of Indians of Oklahoma, before adoption into this town. If the applicant is a member of another Creek Town, the consent of that town must be obtained, provided such town is still in existence.

Any member may withdraw from membership by filing written notice thereof with the Chief who shall consent to the same in writing, and give a copy to the person withdrawing.

ARTICLE V — OFFICERS

The officers of this town shall be the Chief, the Second Chief, the Secretary, the Floor Speaker, the Solicitor, the Chairman of the Governing Committee, and twelve members of the Governing Committee. The powers of the town shall be exercised by the Chief with the consent of the Governing Committee. In case of a dispute between the Governing Committee and the Chief, the matter shall be settled by the Solicitor. The Solicitor and the Floor Speaker may each appoint an assistant and as many interpreters as they may need. The present officers shall continue in office for a period of four years from the adoption of this Constitution and By-laws, or until their successors are elected and installed, and an election of officers shall be held by the town membership each fourth year thereafter.

ARTICLE VI — ELIGIBILITY FOR OFFICE

Men shall be eligible for office at the age of twenty-one and women at the age of eighteen. No person shall be eligible to take office after the adoption of this Constitution and By-laws unless he is a member of the town. No mixed blood member may hold office unless it shall be decided by a majority vote of the members that he is dependable and has special qualifications. Adopted members may take office only with the consent of the members by a majority vote. Any person removed from office for willful neglect of duty shall not be eligible for office for one year thereafter. Any person removed from office for a minor fault shall not be eligible for office for six months thereafter.

ARTICLE VII — REMOVAL FROM OFFICE AND FILLING VACANCIES

Officers may be removed by a majority vote of the members of the town. Vacancies in office shall be filled for the unexpired term by a majority vote of the Governing Committee.

ARTICLE VIII — ELIGIBILITY TO VOTE

Men shall be eligible to vote at the age of twenty-one and women at the age of eighteen.

ARTICLE IX — BILL OF RIGHTS

No member shall be treated differently because he does or does not believe in or take part in any religion or religious custom.

This Constitution shall not in any way be construed to alter, abridge or other-

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wise jeopardize the rights and privileges of the members of this Tribal Town as citizens of the Creek Nation, the State of Oklahoma or of the United States.

The individual vested property rights of any member of the Tribal Town shall not be altered, abridged, or otherwise affected by the provisions of this Constitution by By-laws without the consent of such individual member.

BY-LAWS

ARTICLE I — DUTIES OF OFFICERS

The Chief shall preside at all meetings of the members of the town. He shall, at all times, have general supervision of the affairs of the town. It shall also be his duty to countersign all checks against funds of the town.

In the absence of the Chief, the Second Chief shall preside at all meetings of the members of the town and shall act in his stead in all matters pertaining to the office of Chief.

The Secretary shall keep an accurate record of all proceedings of the Governing Committee and of the meetings of the town and furnish copies thereof to the Superintendent and the Commissioner of Indian Affairs. He shall attend to the keeping of official records of the town and shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the town. All official records of the Secretary shall be open to inspection by themembers of the town at all reasonable times.

The Floor Speaker shall act as spokesman for the officers before the members of the town. He shall be the custodian of all funds in the possession of the town from any source. At such time as the Governing Committee or the Secretary of the Interior shall deem it necessary he shall give a bond with a surety company of recognized standing in an amount to be determined by the Governing Committee, such surety and bond to be approved by the Commissioner of Indian Affairs. He shall keep an accurate record of all town funds and shall disburse the same in accordance with the vote of the Governing Committee. The books of the Floor Speaker containing the financial status of the town shall be open to audit and examination by duly authorized officers of the Secretary of the Interior at all times, and shall be open to inspection by members of the town and its officers.

The Solicitor shall speak for the town before the United States Government and represent it in the meetings of the Creek Federation and in such other ways as he may be instructed by the Governing Committee.

ARTICLE II — MEETINGS

Meetings of the Governing Committee and the other officers shall be held on the last Thursday of the month following the adoption of this Constitution and By-laws and on the last Thursday of every alternate month thereafter. Meetings of the members shall be held on the last Thursday of the second month after the adoption of this Constitution and By-laws, and on the last Thursday of every alternate month thereafter. All action shall be by majority vote. All meetings shall be held at Mrs. Levina Beaver's home until otherwise ordered by the Chief with the consent of the governing body. At meetings of the Governing Committee, seven members of the committee with the chairman shall be a quorum for the transaction of business. The chairman of the Governing Committee shall vote only in case of a tie.

ARTICLE III — AMENDMENTS

Amendments to this Constitution and By-laws may be proposed by a majority vote of the Governing Committee or by a petition signed by thirty per cent of the adult members of the town, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the town, and shall be effective if approved by a majority vote of those voting in the election; Provided, at least 30 per cent of the eligible voters shall vote.

ARTICLE IV — ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the members of the Alabama-Quassarte Tribal Town voting at an election called by the Secretary of the Interior under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and By-laws of the Alabama-Quassarte Tribal Town of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended November 10, 1938.

JOHN COLLIER,
Commissioner of Indian Affairs.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D.C., November 17, 1938.

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CERTIFICATION

Pursuant to an order, approved November 17, 1938 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Alabama-Quassarte Tribal Town of Oklahoma and was on January 10, 1939, duly approved by a vote of 57 for, and 13 against, in an election in which over 30 per cent of those entitled to vote cast their ballots, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

THE ALABAMA-QUASSARTE GOVERNING COMMITTEE,
BY SANDY WESLEY,
DANIEL BEAVER.

J. T. WILKINSON,
Acting Superintendent,
Five Civilized Tribes.

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CORPORATE CHARTER OF THE CADDO INDIAN TRIBE OF OKLAHOMA

Ratified November 15, 1938

Whereas, the Caddo Indian Tribe of Oklahoma constitutes a recognized Tribe of Indians residing in Oklahoma, organized under a constitution and by-laws approved by the Assistant Secretary of the Interior on November 15, 1937, and ratified by the Indians of the said tribe on January 17, 1938, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said tribe, by resolution of the Caddo Executive Committee duly authorized, has requested that a charter of incorporation be issued to the said tribe, subject to ratification by vote of the members of the Tribe;

Now, therefore, I, W. C. Mendenhall, Acting Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 26, 1936, do hereby issue this charter of incorporation to the Caddo Indian Tribe of Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Caddo Indian Tribe voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 per cent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Caddo Indian Tribe of Oklahoma shall be:

(a) To define and safeguard the rights and powers of the Caddo Indian Tribe of Oklahoma and its members.

(b) To advance the standard of living of the Tribe through the development of tribal resources, the acquisition of new tribal land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Tribe.

(c) To promote in any other way the general welfare of the Indians of the Caddo Tribe of Oklahoma.

2. Name, Membership and Organization. The name of this corporation shall be the Caddo Indian Tribe of Oklahoma, as provided in the Constitution and By-laws of the said tribe. The membership, the officers, and the management of the incorporated tribe shall be as provided in the said constitution and by-laws.

3. Corporate Powers. The Caddo Indian Tribe of Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and By-laws of the Tribe, and to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

(a) To have succession by its corporate name perpetually.

(b) To sue and to be sued; to complain and defend in any court: Provided, *however*, That the grant or exercise of such power shall not be deemed a consent by the Tribe or by the United States to the levy of any judgment, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the Tribe may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), and Section 6 of the Act of June 26, 1936 (49 Stat. 1967), or from any other governmental agency or from any member or association of members of the Tribe.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Caddo Indian Tribe.

(i) To employ counsel for the protection and advancement of the rights of the Tribe and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or Federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal land to members of the Tribe, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Caddo Indian Tribe.

(n) To regulate the manner of holding tribal elections.

(o) To regulate the procedure of tribal meetings and the Caddo Executive Committee and all other tribal committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Caddo Indian Tribe.

(q) To purchase, take by gift, bequest or otherwise, own, hold, manage, operate, and dispose of property of every description, real or personal, subject to the limitations of Sections 4 and 5 of this Charter.

(r) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(s) To protect all rights guaranteed to the Caddo Indian Tribe of Oklahoma by treaty.

(t) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(u) To exercise such further powers as may in the future be delegated to the Tribe by the Secretary of the Interior or by any duly authorized officer or agency of the Government.

4. Limitations of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations:

(a) No tribal land or interest in land shall ever be sold or mortgaged.

(b) No tribal land or interest in land shall be leased for a longer period than ten years, except that oil, gas, or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (49 Stat. 984).

(d) No assignment of future corporate income, other than assignments to the United States, shall be made for more than one year in advance.

(e) In any attorney's contract hereafter executed by the Tribe, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Tribe shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until five years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the Tribe of more than a total sum of $3,000 or of more than $1,200 in any one year.

(b) Any transaction by which the Tribe borrows money where such borrowing brings the total indebtedness of the Tribe, aside from loans from the Indian Credit Fund, to a figure in excess of $1,000.

(c) Any resolution or ordinance governing the making of land assignments to members of the Tribe, the acquisition of land from members of the Tribe,

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or the use of tribal land by individuals.

(d) Any lease, grazing permit, or other contract affecting tribal land, tribal minerals, or other tribal interest in land.

(e) Any per capita distribution of corporate income to members of the Tribe in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within five years after the ratification of this Charter, any power of review established by Section 5 may be terminated by the Secretary of the Interior with the consent of the Caddo Executive Committee. At or before the expiration of this five-year period, the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a majority vote of the Caddo Council.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Caddo Indian Tribe of Oklahoma, not expressly referred to in the Constitution, By-laws or charter of the said tribe, shall not be abridged, but may be exercised by the people of the Caddo Indian Tribe of Oklahoma, through the adoption of appropriate additions and amendments to the Constitutions and By-laws or Charter of the said Tribe. No property rights or claims of the Caddo Indian Tribe existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The tribal ownership of unallotted lands, whether or not occupied by any particular individual, is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any corporate debts or liabilities without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an Act of Congress, but amendments may be proposed by a majority vote of the Caddo Executive Committee or by a petition of 50 adult members of the Tribe. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all adult members of the Tribe, and shall be effective if approved by a two-thirds vote of the membership voting in person, provided that at least 90 votes are cast.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Caddo Indian Tribe of Oklahoma: Provided, That at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Kiowa Indian Agency and by the Chairman and Secretary-Treasurer of the Tribe.

Submitted by the Acting Assistant Secretary of the Interior for ratification by the Caddo Indian Tribe of Oklahoma.

W. C. MENDENHALL,
Acting Assistant Secretary of the Interior.

WASHINGTON, D.C., October 11, 1938.

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I, W. C. Mendenhall, the Acting Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Charter of the Caddo Tribe of Oklahoma, subject to ratification by the Tribe in the manner therein provided.

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Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Charter and the Constitution and By-laws, approved by me on November 15, 1937 and duly ratified by the Tribe on January 17, 1938, are declared inapplicable to the Caddo Tribe of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws, and the Charter if, and when, ratified by the Tribe.

Approval recommended September 15, 1938.

F. H. DAIKER,
Acting Commissioner of Indian Affairs.

W. C. MENDENHALL,
Acting Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D.C., October 11, 1938.

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CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Charter, issued on October 11, 1938 by the Acting Assistant Secretary of the Interior to the Caddo Tribe of Oklahoma was duly submitted for ratification to the adult members of the Tribe, and was on November 15, 1938 duly ratified by a vote of 193 for, and 55 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

MAURICE BEDOKA,
Chairman of the Caddo Tribe.

JESSE AHDUNKO,
Secretary of the Caddo Tribe.

W. B. McCOWN,
Superintendent, Kiowa Indian Agency.

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CONSTITUTION AND BY-LAWS OF THE CADDO INDIAN TRIBE OF OKLAHOMA

Ratified January 17, 1938

PREAMBLE

We, the Caddo Indians of the Kiowa Indian Agency Jurisdiction of Oklahoma, in order to promote our common welfare and to secure to ourselves and our descendants the rights, powers and privileges offered by the Thomas-Rogers Oklahoma Indian Welfare Act (49 Stat. 1967), approved June 26, 1936, do establish this organization and adopt the following constitution and by-laws pursuant to that Act.

ARTICLE I -- NAME

The name of this organization shall be the "Caddo Indian Tribe of Oklahoma".

ARTICLE II -- MEMBERSHIP OF TRIBE

The membership of the Caddo Indian Tribe of Oklahoma shall consist of the following persons:

SECTION 1. All persons of Caddo Indian blood who were enrolled, or were entitled to be enrolled on the official census roll of the Tribe as of January 1, 1937.

SEC. 2. All children born of a marriage and since the date of said roll, both of whose parents are members of said Tribe.

SEC. 3. Any child born of a marriage between a member of the Caddo Indian Tribe and a member of any other tribe who chooses to affiliate with the Caddo Indian Tribe.

SEC. 4. Any child born of a marriage between a member of the Caddo Indian Tribe and any other person, if such child is enrolled before attaining the age of five years. Where no such enrollment is made such child may be admitted by a majority vote of the Caddo Council.

SEC. 5. Any illegitimate child whose mother is a Caddo Indian.

SEC. 6. The Council shall have power to prescribe rules and regulations, subject to the review of the Secretary of the Interior, covering future membership, including adoption, expulsion, and loss of membership.

ARTICLE III -- MEMBERSHIP OF COUNCIL

The supreme governing body of this organization shall be the Caddo Council. The membership of the Council shall be all the members of the Caddo Indian Tribe, 21 years of age and older, residing within the jurisdiction of the Kiowa Agency. All actions of the Council shall be determined by a majority vote of the membership present.

ARTICLE IV — OFFICERS

The officers of the Tribe shall be the Chairman, Vice-Chairman, Secretary-Treasurer, and two Councilmen. The term of the officers shall be for four years, except as provided in Section 1 of Article VII.

ARTICLE V — COMMITTEES

SECTION 1. There shall be an Executive Committee which shall consist of the officers provided for in Article IV. This Committee shall have power to appoint subordinate committees and representatives, to transact business and otherwise speak or act on behalf of the Caddo Indian Tribe in all matters on which the said Indians are empowered to act now or in the future. The powers of the Caddo Indian Tribe shall be set forth in detail in the corporate charter to be requested by the Executive Committee.

SEC. 2. There shall be a Grievance Committee which shall consist of three members who shall be elected by the Caddo Council and shall not include any members of the Executive Committee.

SEC. 3. All actions by the Executive and Grievance Committees shall be determined by a majority vote of the members present.

ARTICLE VI — MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the first Tuesday [subsequently changed to Saturday] in June for the purpose of receiving reports and transacting any other business which may come regularly before the Council.

SEC. 2. Special meetings of the Council may be called at the discretion of the Chairman, and shall be called by him upon the written request of a majority of the Executive Committee or upon the written request of 50 members of the Council; Provided, That at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of a special Council meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added no other business may be transacted except for the object stated in the call.

SEC. 4. The regular meetings of the Executive Committee shall be held the first Tuesday [subsequently changed to Saturday] in each month unless otherwise provided by resolution.

SEC. 5. Special meetings of the Executive Committee may be called by the Chairman at his discretion, and shall be called by him upon the written request of three members of the Executive Committee.

ARTICLE VII — ELECTIONS

SECTION 1. Within 60 days after the adoption of this Constitution and By-laws, the Council shall hold an election of members of the Executive and Grievance Committees, under rules and regulations prescribed by the present Business Committee of the Caddo Indian Tribe. The Executive and Grievance Committee members elected at this election shall serve till the next regular election provided for in Section 9 of this Article or until their successors are elected and installed.

SEC. 2. Regular elections of officers and members of the Grievance Committee shall be held by the Council at its regular annual meeting on the first Tuesday [Saturday] in June, 1941 [1961], and on the first Tuesday [Saturday] in June of each fourth year thereafter.

SEC. 3. Election shall be by roll call [subsequently changed to standing vote], a majority vote being necessary to elect. When there are more than two candidates for an office and no one receives a majority vote, the low candidate shall be eliminated and voting shall proceed until one candidate receives a majority of the votes cast. The newly elected officers shall be installed immediately upon their election.

SEC. 4. To be eligible for election under Section 1 of this Article, notice of candidacy shall be filed with the present Business Committee 30 days prior to election. To be eligible for election under Section 2 of this Article, notice of candidacy for an elective office must be filed with the Secretary of the Council 30 days prior to election. Such notice shall be valid if filed by a candidate himself or upon the petition of 15 members of the Council. No person shall be a candidate for more than one office at any one election.

ARTICLE VIII — VACANCIES

Vacancies in any elective office shall be filled for an unexpired term at any special or regular meeting of the Council.

ARTICLE IX — REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct in office of the members of the Executive Committee and upon proper showing shall call a special meeting of the Council to act on such complaints. The Council shall have power by a majority vote, after giving the accused a hearing, to remove him from office and to proceed to elect a successor.

ARTICLE X — BILL OF RIGHTS

SECTION 1. All members of the Caddo Indian Tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly, and association.

SEC. 2. This Constitution shall not in any way alter, abridge, or otherwise jeopardize the rights and privileges of the members of this Tribe as citizens of the State of Oklahoma or the United States.

SEC. 3. The individual property rights of any member of the Tribe shall not be altered, abridged or otherwise affected by the provisions of this Constitution and By-laws without the consent of such individual member.

ARTICLE XI — AMENDMENTS

Amendments to this Constitution and attached By-laws may be proposed by a majority vote of the Executive Committee or by a petition signed by 30 per cent of the adult members of the Tribe residing within the Kiowa jurisdiction, and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the Tribe, and shall be effective if approved by a majority vote.

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BY-LAWS OF THE CADDO INDIAN TRIBE

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. Chairman.—The Chairman shall preside at all meetings of the Council and of the Executive Committee. He shall have general supervision of the affairs of the Council and of the Executive Committee and shall perform all duties appertaining to the office of Chairman.

SEC. 2. Vice-Chairman.—In the absence of the Chairman, the Vice-Chairman shall perform the duties of that office.

SEC. 3. Secretary-Treasurer.—The Secretary-Treasurer shall keep an accurate account of all proceedings and official records of the Council and of the Executive Committee and shall file a copy of same with the Superintendent of the Kiowa Indian Agency. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the Council and Executive Committee. All official records of the Secretary shall be open to the inspection of the members of the Council, in the presence of the Secretary, upon the order of the Grievance Committee. He shall keep a correct list of all members of the Council, shall certify all accounts or orders of the Council and in the absence of the Chairman and Vice-Chairman shall call meetings to order until a chairman pro tem is selected.

The Secretary-Treasurer shall be the custodian of all funds in possession of the Council from any source. He shall keep an accurate record of all funds and shall disburse the same in accordance with the vote of the Executive Committee and shall file a copy with the Superintendent of the Kiowa Indian Agency. He shall keep all tribal money entrusted to his care in a special account. At any time that such an account shall amount to $50.00 or more, he shall file a bond satisfactory to the Executive Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal money. At the expiration of his term of office the records and all papers and funds in his possession shall be turned over to his successor.

ARTICLE II — QUALIFICATIONS OF OFFICERS

Any person elected to membership on the Executive and Grievance Committees shall not be less than 21 years of age and a member of the Caddo Indian Tribe of Oklahoma. At the time of election he shall be an actual resident of the territory known as the Kiowa Indian Agency jurisdiction. Any person holding an elective office removing from this jurisdiction for a period of six months or failing to attend monthly meetings for four months in succession shall automatically lose office.

ARTICLE III — PLACE OF MEETINGS

SECTION 1. All regular and special meetings of the Council shall be held at Riverside School unless some other point under the Kiowa jurisdiction is designated in the call or notice.

SEC. 2. All regular and special meetings of the Executive Committee shall be held in the Council Chamber, Federal Building, Anadarko, Oklahoma, unless some other place is designated.

ARTICLE IV — QUORUM

SECTION 1. Ninety members of the Council shall constitute a quorum to transact business at any meeting.

SEC. 2. Three members of the Executive Committee shall constitute a quorum to transact any business.

ARTICLE V — ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the adult members of the Caddo Indian Tribe of Oklahoma voting at an election called by the Secretary of the Interior under rules and regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and By-laws of the Caddo Indian Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

WASHINGTON, D.C., November 15, 1937. [SEAL]

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CERTIFICATION OF ADOPTION

Pursuant to an order, approved November 15, 1937 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Caddo Indian Tribe of Oklahoma and was on January 17, 1938 duly accepted by a vote of 316 for, and 33 against, in an election in which over 30 per cent of those entitled to vote cast their ballots, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

THE CADDO TRIBAL COMMITTEE,
BY MAURICE BEDOKA.
JESSE AHDUNKO.
STANLEY EDGE.

W. B. McCOWN,
Superintendent, Kiowa Indian Agency.

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THE CHEROKEE NATION

The following letter was received from Earl Boyd Pierce, General Counsel of the Cherokee Nation.

"Principal Chief W. W. Keeler of the Cherokee Nation recently referred to me your letter relating to our Constitution, with the suggestion that I cooperate with you in your interesting venture.

"You will recall that Congress, commencing in 1893 and ending April 26, 1906, enacted a series of Statutes which directly affected our Constitution and laws, as follows: 27 Stat. 612; 28 Stat. 910; 29 Stat. 321; 30 Stat. 62; 30 Stat. 495; 32 Stat. 716; 33 Stat. 189; 34 Stat. 137; 35 Stat. 312.

"As you know, all citizens of the political Government of the Cherokee Nation at Statehood in 1907 became full-fledged citizens of the new State of Oklahoma, and like other citizens of the State are governed by the State Constitution and State laws. The Constitution and laws of the Cherokee Nation were published in bound volumes and may be found in many of the good libraries of the United States.

"Congress has the acknowledged power to abolish the Government of any American Indian Tribe, but its power to abolish the Tribe itself has long been doubted. See Section 28 of the Act of April 26, 1906, 34 Stat. 137. In 1948, the Cherokees created an Executive Committee with authority to advise the Principal Chief on all Cherokee matters. The sole source of legal power is vested in the Principal Chief under Federal law, and for over fifty years Congress has shown no disposition to change this situation, even if it was desired.

"With continued interest and concern of Congress, we are hopeful that adequate attention can be given to the needs of our worthy Full Blood Cherokees, who, as you know, are faced with many residual problems growing out of the allotment process forced upon their forebearers at the turn of the century."

Sincerely,

EARL BOYD PIERCE
General Counsel Cherokee Nation

April 7, 1967
Muskogee, Oklahoma

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Clyde Busey, Tribal Operations Officer, Bureau of Indian Affairs, Muskogee, Oklahoma, wrote (April 13, 1967):

"The following Tribes in this area do not have constitutions:

Cherokee Tribe of Oklahoma
Chickasaw Tribe of Oklahoma"
etc.

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CORPORATE CHARTER OF THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS, OKLAHOMA

Ratified October 3, 1950

Whereas, the United Keetoowah Band of Cherokee Indians in Oklahoma were recognized as a band of Indians residing in Oklahoma by the act of August 10, 1946 (60 Stat. 976), and seeks to organized under Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), by the adoption of a constitution and bylaws and a charter of incorporation approved by the Secretary of the Interior; and

Whereas, the said Band, by resolution of the Provisional Committee of the United Keetoowah Band of Cherokee Indians, has requested that a charter of incorporation be issued to the said Band, subject to ratification by a vote of the members of the Band;

Now, therefore, I, William E. Warne, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 26, 1936, do hereby issue this Charter of Incorporation to the United Keetoowah Band of Cherokee Indians in Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Band voting; Provided, however, That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the United Keetoowah Band of Cherokee Indians in Oklahoma shall be:

(a) To define and safeguard the rights and powers of the United Keetoowah Band of Cherokee Indians in Oklahoma and its members;

(b) To advance the standard of living of the Band through the development of its resources, the acquisition of land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Band;

(c) To promote in any other way the general welfare of the Indians of the United Keetoowah Band of Cherokee Indians in Oklahoma.

2. Name, Membership, and Organization. The name of this corporation shall be the United Keetoowah Band of Cherokee Indians in Oklahoma, as provided in the Constitution and Bylaws of the said Band. The membership, the officers and the management of the incorporated Band shall be as provided in the said Constitution and Bylaws.

3. Corporate Powers. The United Keetoowah Band of Cherokee Indians in Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and Bylaws of the Band, and subject to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any courts; Provided, however, that the grant or exercise of such power shall not be deemed a consent by the Band or by the United States to the levy of any judgment, lien or attachment upon the property of the Band other than income or chattels especially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the Band may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the act of June 18, 1934 (48 Stat. 984), and Section 6 of the act of June 26, 1936 (49 Stat. 1967), from any other governmental agency, from any member or association of members of the Band, or from any other source.

(g) To deposit corporate funds in a national bank insured by the Federal Deposit Insurance Corporation or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the United Keetoowah Band of Cherokee Indians in Oklahoma.

(i) To employ counsel for the protection and advancement of the rights of the Band and its members.

(j) To prevent any di[illegible]sition, lease or encumbrance of land belonging to the Band, interest in land, or other Band assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or Federal projects for the benefit of the Band prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of land belonging to the Band to members of the Band, and to regulate the use and disposition of such assignments.

(m) To appropriate corporate funds for expenses of administering the affairs of the corporation and for other purposes of benefit to the United Keetoowah Band of Cherokee Indians in Oklahoma.

(n) To regulate the manner of holding Band elections.

(o) To regulate the procedure of the officers and membership and all other Band committees and officers.

(p) To protect and preserve the property, natural resources, crafts, and traditions of the United Keetoowah Band of Cherokee Indians in Oklahoma.

(q) To impose penalties on members of the United Keetoowah Band of Cherokee Indians in Oklahoma for violation of the corporate bylaws or ordinances, not exceeding in any case $100 for any one offense, or in the alternative, expulsion from the Band or suspension of voting rights therein.

(r) To purchase, take by gift, bequest, or otherwise own, hold, manage, operate, and dispose of property of every description, real or personal.

(s) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(t) To protect any interest which the United Keetoowah Band or its members may have in treaties made with the Cherokee Nation.

(u) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Band, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(v) To exercise such further powers as may in the future be delegated to the Band by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitation of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations.

(a) No land belonging to the Band or interest in land shall ever be sold or mortgaged.

(b) No land or interest in land owned by the Band shall be leased for a longer period than ten years, except that oil, gas, or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering land owned by the Band shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (48 Stat. 984).

(d) No assignment of future income, other than assignments to the United States, shall be made for more than five years in advance.

(e) In any attorneys' contracts hereafter executed by the Band, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Band shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

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5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the Band of more than $5,000.00.

(b) Any transaction by which the Band borrows money where such borrowing brings the total indebtedness of the Band, aside from loans from the Indian Credit Fund to a figure in excess of $500.00.

(c) Any resolution or ordinance governing the making of land assignments to members of the Band, the acquisition of land from members of the Band, or the use by individuals of land owned by the Band.

(d) Any lease, grazing permit, or other contract affecting land owned by the Band, including minerals or other interest in land owned by the Band.

(e) Any per capita distribution of corporate income to members of the Band in excess of $200.00 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter any power of approval established by Section 5 may be terminated by the Secretary of the Interior with the consent of the United Keetoowah Band of Cherokee Indians in Oklahoma. At or before the expiration of this ten-year period, the Secretary of the Interior may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the membership of the United Keetoowah Band of Cherokee Indians in Oklahoma.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the United Keetoowah Band of Cherokee Indians in Oklahoma, not expressly referred to in the Constitution, Bylaws, or Charter of the said Band, shall not be abridged, but may be exercised by the people of the United Keetoowah Band of Cherokee Indians in Oklahoma, through the adoption of appropriate additions and amendments to the Constitution, Bylaws, or Charter of said Band. No property rights or claims of the United Keetoowah Band of Cherokee Indians in Oklahoma existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The Band ownership of unallotted lands, whether or not occupied by particular individuals, is hereby expressly recognized. The individually owned property of members of the Band shall not be subject to any corporate debts or liabilities, without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an act of Congress, but amendments may be proposed by a majority vote of the Council or by a petition signed by 30 percent of the adult members of the Band and filed with the Secretary. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all members of the Band, and shall be effective if approved by a majority vote, provided that at least 30 percent of the eligible voters shall vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the United Keetoowah Band of Cherokee Indians in Oklahoma, provided that at least 30 percent of the eligible vot-

ers shall vote, and provided further that the Band has agreed to a Constitution and Bylaws approved by the Secretary of the Interior. The ratification of the Charter shall be formally certified by the General Superintendent of the Five Civilized Tribes Agency and by the Chief and the Secretary of the Band.

Submitted by the Assistant Secretary of the Interior for ratification by the United Keetoowah Band of Cherokee Indians in Oklahoma.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

WASHINGTON, D.C., May 8, 1950. [SEAL]

***

I, William E. Warne, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 26, 1936 (49 Stat. 1967) and the act of August 10, 1946 (60 Stat. 976), do hereby approve the attached Charter of the United Keetoowah Band of Cherokee Indians in Oklahoma, subject to ratification by the Band in the manner therein provided.

Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Bureau of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Charter and the Constitution and Bylaws will be inapplicable to this Band from and after the date of their ratification thereof.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws, and the Charter, if and when ratified by the Band.

Approval recommended: May 8, 1950

D. S. MYER,
Commissioner of Indian Affairs.

WILLIAM E. WARNE,
Assistant Secretary of the Interior

[SEAL]

WASHINGTON, D.C., May 8, 1950.

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CERTIFICATION

Pursuant to Section 3 of the act of June 26, 1936 (49 Stat. 1967), this Charter issued on May 8, 1950, by the Assistant Secretary of the Interior to the United Keetoowah Band of Cherokee Indians in Oklahoma was duly submitted for ratification to the adult members of the Band, and was on October 3, 1950, duly ratified by a vote of 1,414 for, and 1 against, in an election in which at least 30 percent of those entitled to vote cast their ballots.

REV. JIM PICKUP,
Chief, United Keetoowah Band of
Cherokee Indians, Oklahoma.

WHITE RUNABOUT,
Secretary, United Keetoowah Band of
Cherokee Indians, Oklahoma.

W. O. ROBERTS
Area Director,
Muskogee Area Office.

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CONSTITUTION AND BY-LAWS OF THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS OF OKLAHOMA

Ratified October 3, 1950

PREAMBLE

We, the members of the United Keetoowah Band of Cherokee Indians in Oklahoma, in order to promote our common welfare and to secure to ourselves and our posterity the rights, powers and privileges authorized and offered by the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967) and the Act of August 10, 1946 (60 Stat. 976), do hereby ordain and establish the following constitution and by-laws.

ARTICLE I — NAME

The name of this organization shall be the United Keetoowah Band of Cherokee Indians in Oklahoma.

ARTICLE II — HEADQUARTERS

The headquarters of this Band shall be Tahlequah, Oklahoma, county seat of Cherokee County, unless and until otherwise provided by the governing body.

ARTICLE III — OBJECTIVES

The objectives of this Band shall be:

SECTION 1. To secure for its members the benefits, rights, privileges and powers provided for under the Act of Congress approved June 26, 1936 (49 Stat. 1967),known as the Oklahoma Indian Welfare Act and the Act of Congress approved June 18, 1934 (48 Stat. 984), known as the Indian Reorganization Act, so far as the same has been made applicable to Oklahoma Indians.

SEC. 2. To secure the benefits, rights, privileges and powers as provided for by any laws of the United States now existing or that may hereafter be enacted for the benefit of Indians or other citizens of the United States and administered by various government agencies, such as relief, conservation, rehabilitation, resettlement, welfare, education, health and other programs.

SEC. 3. To promote the general welfare of the Band and its members.

ARTICLE IV — MEMBERSHIP OF BAND

SECTION 1. The membership of the United Keetoowah Band of Cherokee Indians in Oklahoma shall consist of:

All persons whose names appear on the list of members identified by a resolution dated April 19, 1949, and certified by the Superintendent of the Five Civilized Tribes Agency on November 16, 1949; Provided, that within five (5) years after the approval of this Constitution and Bylaws, such roll may be corrected by the Council of the United Keetoowah Band of Cherokees, subject to the approval of the Secretary of the Interior.

SEC. 2. The governing body of the Band shall have power to prescribe rules and regulations governing future membership.

ARTICLE V — GOVERNING BODY

SECTION 1. The supreme governing body of the Band shall be the Council of the United Keetoowah Band of Cherokee Indians in Oklahoma.

SEC. 2. The Council shall consist of nine (9) members, male or female, twenty-one (21) years of age or over, elected to represent the nine (9) districts of the Old Cherokee Nation, and four (4) officers, elected at large, as provided in Article VI.

SEC. 3. The term of office of members of the Council, other than the officers of the Band, shall be for a period of two years, or until their successors are duly elected and qualified.

SEC. 4. No councilman shall be eligible to hold any other elective office in the Band during his tenure as a member of the Council.

SEC. 5. The Council shall have power to appoint subordinate personnel, committees and representatives, to transact business, and otherwise speak or act on behalf of the Band in all matters on which the Band is empowered to act now or may be empowered to act upon in the future. The Council shall also have the power to delegate such powers to individuals or subordinate groups consistent with law, and under such rules and regulations as may be prescribed by the Council.

ARTICLE VI — OFFICERS

The officers of the Band shall be a chief, assistant chief, a secretary and a treasurer. The officers shall serve for a period of four (4) years, or until their successors are duly elected and qualified. The officers shall be elected at large by the eligible voters of the Band and the Council shall provide by resolution for a method of selecting candidates for the aforesaid offices.

ARTICLE VII — ELECTIONS

SECTION 1. The first regular election of officers and members of the Council shall be held on the first Monday in the month following the approval of this Constitution, and regular elections shall be held thereafter on the first Monday of the same month, under rules and regulations to be prescribed by the Council.

SEC. 2. All members of the Band, twenty-one (21) years of age and over, shall be eligible to vote in any election, provided that in elections for representation on the Council only qualified electors, residing in, or affiliated with, the district to be represented shall be eligible to vote for the member to represent such district.

SEC. 3. Any member of the Band, 21 years of age or over, living outside of the territory known as the Old Cherokee Nation, in Oklahoma, shall have the right to vote in any district with which he may choose to affiliate by notifying the Council in writing of his choice, but no voter shall be permitted to vote in more than one district.

SEC. 4. The Council shall have the power to call and conduct special elections whenever necessary.

ARTICLE VIII — VACANCIES

In the case of death, removal from office, or other disability amounting to incapacity, vacancies in any elective office may be filled by the Council for the unexpired term at any special or regular meeting.

ARTICLE IX — IMPEACHMENT

The Council shall prescribe rules and regulations for the investigation of complaints of misconduct in office and for removal of any member of the Council or of any officer, provided that the accused shall be given a hearing and that a two-thirds vote of the Council shall be necessary to remove any person from office.

ARTICLE X — PROVISIONAL ORGANIZATION

The present constitutional committee, consisting of Daniel Hummingbird, Chairman, Ben Birdshopper, Jim Pickup, J. B. Sixkiller, Jack Wolfe and John Ketcher, shall have the power to appoint officers and members of a council, known as the Provisional Council, who shall serve until the first election provided for in Article VII, or until their successors are duly elected and qualified. This Provisional Council shall have power to prescribe regulations for the conduct of the first election provided for in Article VII.

ARTICLE XI — BILL OF RIGHTS

SECTION 1. All members of the Band shall enjoy without hindrance freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This Constitution shall not in any way be construed to impair, abridge or otherwise jeopardize the rights and privileges of the members of this Band as citizens of the State of Oklahoma or of the United States.

SEC. 3. The individual vested property rights of any member of the Band shall not be impaired, abridged or otherwise affected by the provisions of this Constitution and By-laws without the consent of such individual member.

ARTICLE XII — AMENDMENTS

Amendments to this Constitution and attached By-laws may be proposed by a majority vote of the Council or by a petition of thirty (30) percent of the eligible voters of the Band filed with the Secretary of the Interior. Such amendments, if approved by the Secretary, shall be submitted by him to a referendum vote of the eligible voters of the Band, and shall be effective if approved by the Secretary, shall be submitted by him to a referendum vote of the eligible voters of the Band, and shall be effective if approved by a majority vote in an election in which at least thirty (30) percent of the eligible voters cast their ballots.

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BY-LAWS OF THE KEETOOWAH BAND OF CHEROKEE INDIANS IN OKLAHOMA

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. Chief.—The chief shall preside at all meetings of the Council and of the membership. He shall have general supervision of the affairs of the Council and shall perform all duties appertaining to the office of chairman. He shall have a right to vote at Council meetings only in the case of a tie.

SEC. 2. Assistant Chief.—In the absence of the chief, the assistant chief shall perform the duties of that office. In case of vacancy, the assistant chief shall succeed at once to the office of the chief until such office may be regularly filled.

SEC. 3. Secretary.—The secretary shall perform his duties in pursuance to instructions of the Council. He shall keep an accurate account of all proceedings and official records of the Council and membership meetings. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the Council. All official records of the secretary shall be open to inspection by the members of the Council, in the presence of the secretary. He shall keep a correct list of all members of the Council and of the Band membership, shall authenticate all accounts or orders of the Council and, in the absence of the chief and assistant chief shall call meetings to order until a chairman pro tem is elected. He shall render a written report at the annual council meeting and, at the expiration of his term of office, the records and all papers in his possession shall be delivered to his successor.

SEC. 4. Treasurer.—The treasurer shall be the custodian of all funds in possession of the Council from any source. He shall keep an accurate record of all such funds and shall disburse the same in accordance with the vote of the Council. He shall render a written report at the annual Council meeting and at such times that he is requested to do so by the Council. He shall keep all Band moneys entrusted to his care in a special account. At any time that such account shall amount to more than Fifty dollars ($50.00), he shall file a bond satisfactory to the Council. The premium for such bond shall be paid for by the Band. At the expiration of his term of office, the records and all papers and funds in his possession shall be duly accounted for and delivered to his successor.

ARTICLE II — QUALIFICATIONS OF OFFICERS AND COUNCIL MEMBERS

SECTION 1. Any person elected or appointed to the offices of chief and assistant chief shall be not less than thirty-five years of age, a resident of the Old Cherokee Nation and a member of the United Keetoowah Band of Cherokee Indians in Oklahoma.

SEC. 2. Any person elected or appointed to the offices of secretary and treasurer shall be not less than twenty-one years of age, a resident of the Old Cherokee Nation and a member of the United Keetoowah Band of Cherokee Indians in Oklahoma.

SEC. 3. Any person elected or appointed to membership on the Council shall be not less than twenty-one years of age, a resident of the district he represents and a member of the United Keetoowah Band of Cherokee Indians in Oklahoma.

SEC. 4. Any person holding an elective office who removes from the territory or territories prescribed in this article shall automatically forfeit the office.

ARTICLE III — MEETINGS

SECTION 1. Regular meetings of the Council shall be held on the first Monday in September of each year unless otherwise provided by resolution of the Council.

SEC. 2. Special meetings of the Council may be called by the chief at his discretion and shall be called by him upon the written request of seven (7) members of the Council.

SEC. 3. All meetings of the Council shall be held at the headquarters of the organization, or at any other place within the Old Cherokee Nation as may be designated from time to time by the Council.

SEC. 4. Band membership meetings may be called by the chief at his discretion, and shall be called by him upon the written request of seven (7) members of the Council, for the purpose of receiving reports and transacting any other business that may be referred to it by the Council, provided that at least ten (10) days' notice as to the time and place of the meeting and the purpose for which it is called is given to the membership of the Band.

SEC. 5. All meetings of the Council and of the Band shall be conducted under rules of procedure prescribed by the Council.

ARTICLE IV — QUORUM

Seven (7) members of the Council shall constitute a quorum to transact business at any meeting.

ARTICLE V — ADOPTION

This Constitution and By-laws upon approval by the Secretary of the Interior shall be effective when ratified by a majority of the eligible voters of the Band, voting in an election called by the Secretary of the Interior under rules and regulations prescribed by him pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), provided that at least thirty (30) percent of the eligible voters cast their ballots in such election.

I, William E. Warne, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and Bylaws of the United Keetoowah Band of Cherokee Indians in Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended: May 8, 1950.

D. S. MYER,
Commissioner of Indian Affairs.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

WASHINGTON, D.C., May 8, 1950.

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CERTIFICATION

Pursuant to an order approved May 8, 1950, by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the United Keetoowah Band of Cherokee Indians in Oklahoma and was on October 3, 1950, duly ratified by a vote of 1,414 for, and 1 against, in an election in which at least 30 percent of those entitled to vote cast their ballots, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), and pursuant to the Act of August 10, 1946 (60 Stat. 976).

JIM PICKUP,
Chief, United Keetoowah Band of
Cherokee Indians, Oklahoma.

WHITE RUNABOUT,
Secretary, United Keetoowah Band of
Cherokee Indians, Oklahoma.

W. O. ROBERTS,
Area Director, Muskogee Area Office.

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CONSTITUTION AND BY-LAWS OF THE CHEYENNE-ARAPAHO TRIBES OF OKLAHOMA

Ratified September 18, 1937

PREAMBLE

We, the Indians of the Cheyenne-Arapaho Tribes of Oklahoma, in order to promote more unified tribal progress, to better transact our tribal business and industrial affairs, to protect our religious rights, to protect and maintain our allotted lands, to look after our just claims and our rights under treaty stipulations, to borrow money from the Federal Government, such funds to constitute a tribal revolving fund from which sums may be lent to individual members of the Tribes and to groups of members for cooperative enterprises, to participate in the management of tribal lands and property, to assist and advise in the purchase of land which the government may obtain for landless members of the Tribes, to negotiate with the representatives of Federal, State and local Governments in regard to all matters affecting the Tribes now or in the future, and to further the general welfare of ourselves and our posterity, do hereby adopt the following Constitution and By-laws pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936.

ARTICLE I — NAME

The name of this organization shall be the Cheyenne-Arapaho Tribes of Oklahoma.

ARTICLE II — TERRITORY

The territory in which this Constitution shall be effective is the lands owned by the Cheyenne and Arapaho Indians within the boundaries of the Cheyenne and Arapaho territory as defined by the agreement of 1890 (ratified by the Act of March 3, 1891), and tribal land or lands which shall hereafter become tribal property.

ARTICLE III — MEMBERSHIP

*SECTION 1. The membership of the Cheyenne-Arapaho Tribes of Oklahoma shall consist of the following persons:

*(a) All persons of Indian blood whose names appear or were entitled to appear on the official tribal census roll as of June 26, 1936.

*(b) Each person born since the date of said roll and prior to the effective date of this amendment, each of whose parents was included on the official tribal census roll as of June 26, 1936, or was entitled to be included on such roll.

*(c) Each person of Cheyenne-Arapaho blood born prior to the effective date of this amendment of a marriage between a member of the Cheyenne-Arapaho Tribes and a member of some other tribe who chooses to affiliate with the Cheyenne-Arapaho Tribes.

*(d) Each person of Cheyenne-Arapaho blood born prior to the effective date of this amendment of a marriage between a member of the Cheyenne-Arapaho Tribes and any other person, if such person is admitted to membership by a majority vote of the Business Committee.

*(e) Each person of 1/4 or more degree of blood of the Cheyenne-Arapaho Tribes of Oklahoma, born on or after the effective date of this amendment, each of whose parents is a member of the Tribes.

*(f) Each person of 1/4 or more degree of blood of the Cheyenne-Arapaho Tribes of Oklahoma, who on or after the effective date of this amendment is born of a marriage between a member of the Tribes and any other person if such person is admitted to membership by a majority vote of the Business Committee.

*SEC. 2. The burden of proof as to quantum of blood of the Cheyenne-Arapaho Tribes of Oklahoma will be on the claimant for enrollment in each case.

*SEC. 3. The Business Committee shall have the power to make rules and regulations, subject to review by the Secretary of the Interior, governing future membership and adoption of new members.

ARTICLE IV — INDIVIDUAL RIGHTS AND PRESENT SERVICES

SECTION 1. Individual rights in allotted and inherited lands shall not be disturbed by anything contained in this Constitution.

SEC. 2. The rights of members as citizens of the United States and of the State of Oklahoma shall not be disturbed by anything contained in this Constitution.

SEC. 3. Existing aids and services extended to the Tribe, such as health service, education, extension service, etc., shall not be curtailed because of anything contained in this Constitution.

SEC. 4. In all recommendations for employment of persons to fill positions on the Cheyenne and Arapaho jurisdiction first preference shall be given to qualified enrolled members of this organization and second preference shall be given to persons married to members of the organization.

SEC. 5. All members of the Tribes may enjoy freedom of speech, conscience, worship and assembly.

SEC. 6. No treaty rights of the Cheyenne or the Arapaho Tribe shall be in any way affected by any provision of this Constitution.

ARTICLE V — GOVERNING BODY

SECTION 1. The governing body of the organization shall be called the Cheyenne-Arapaho Business Committee.

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* Amended November 3, 1959.

** Amended February 4, 1942.

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**SEC. 2. The Cheyenne-Arapaho Business Committee shall consist of fourteen members, seven Cheyennes and seven Arapahoes, elected by popular vote, provided that the present Cheyenne-Arapaho Business Committee shall serve until its successors are elected.

**(a) The Business Committee shall designate the districts from which its membership shall be elected and shall determine the ratio of representation.

**(b) Within sixty days after the ratification of this amendment an election shall be held, under rules and regulations prescribed by the Business Committee, and the members so elected shall serve until the next regular election in November 1943, or until their successors are elected. Elections shall be held every second year thereafter.

**SEC. 3. All members of the Tribes, 21 years of age or older, shall be eligible as candidates for the Business Committee.

SEC. 4. All members of the Tribes, 21 years of age or older, shall be entitled to vote in all elections.

SEC. 5. Members of the Business Committee and the Chairman thereof shall hold office for a term of two years from date of elections or until their successors are chosen. Cheyenne voters not residing within a Cheyenne District and Arapaho voters not residing within an Arapaho District may affiliate with any district of their own Tribe for purposes of voting and representation.

**SEC. 6. A meeting of duly elected tribal representatives shall be called by the Superintendent within 30 days after the election at which they are chosen. At this meeting the Business Committee shall select the following officers from its membership: Chairman, Vice-Chairman, Secretary, Treasurer, and Sergeant-at-Arms.

**SEC. 7. Subject to the approval of the Business Committeem the Chairman shall appoint committees for the carrying on of business.

**SEC. 8. Vacancies on the Business Committee shall be filled by a special election held in the district which has lost representation by that vacancy.

**SEC. 9. Any member or officer of the Business Committee charged with misconduct or neglect of duty during his term of office may be expelled by a majority vote of the Business Committee after a fair hearing.

ARTICLE VI — POWERS OF BUSINESS COMMITTEE

The Business Committee shall have power to act for the Tribes in matters pertaining to claims, credit, acquisition of land and any such matters in which the Cheyenne-Arapaho Tribes may be authorized to act.

**Matters of importance may be referred by 7 members of the Business Committee to a popular referendum of the members of the Tribes, and until such referendum is held action on the matters shall be suspended.

ARTICLE VII — AMENDMENTS

Amendments to this Constitution may be proposed by a majority vote of the eligible voters at a general meeting, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the Tribes and shall be effective if approved by a majority vote.

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BY-LAWS OF THE CHEYENNE-ARAPAHO TRIBES OF OKLAHOMA

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. The Chairman of the Business Committee shall preside over all meetings of the Committee, shall perform all the duties of a chairman and exercise any authority delegated to him by the Business Committee. He shall have the privilege of voting in case of a tie.

SEC. 2. The Vice-Chairman of the Business Committee shall call the roll at the opening of each meeting. He shall then read the minutes of the previous meeting. The minutes shall be approved by the Business Committee, after which it shall be the duty of the Secretary to call to the attention of the Business Committee any unfinished business of the previous meetings. Further, the Secretary shall read to the Committee all communications which have been received during the month by said Committee. It shall be the duty of the Secretary to answer all correspondence after it has been discussed and a decision made by the Business Committee.

SEC. 3. The Treasurer of the Business Committee shall be the custodian of all moneys which come under the jurisdiction or in control of the Cheyenne-Arapaho Business Committee. He shall pay out money in accordance with the orders and resolution of the Business Committee. He shall keep account of all receipts and disbursements and shall report the same to the Business Committee at each regular meeting. He shall be bonded in such an amount as the Business Committee by resolution shall provide, such bond to be satisfactory to the Commission of Indian Affairs. The books of the Treasurer shall be subject to audit or inspection at the discretion of the Business Committee.

ARTICLE II — OATH OF OFFICE

Each member of the Business Committee and each officer or subordinate officer elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof by which oath he shall pledge himself to support and defend the Constitution of the United States and this Constitution and By-laws. The following form of oath of office shall be given: "I ______________________ do hereby solemnly affirm that I will support and defend the Constitution of the United States against all enemies and will carry out faithfully and impartially, the duties of my office to the best of my ability, and will promote and protect the best interests of the Cheyenne-Arapaho Tribes in accordance with this Constitution and By-laws."

ARTICLE III — MEETINGS OF THE BUSINESS COMMITTEE

SECTION 1. Regular meetings of the Business Committee shall be held on the first Wednesday of each month at the Cheyenne-Arapaho Agency at Concho, Oklahoma, or such other place as is chosen by the Business Committee.

SEC. 2. Special meetings of the Business Committee may be called at the discretion of the Chairman, or shall be called by him upon written request of a majority of the members of the Business Committee or upon the written request of 100 members of the Cheyenne-Arapaho Tribes.

***SEC. 3. A general meeting of the Cheyenne-Arapaho Tribes of Oklahoma shall be held on a Saturday of each year. The meeting place and date will be designated by the Business Committee.

**SEC. 4. Special meetings of the Cheyenne-Arapaho Tribes may be called at the discretion of the Chairman of the Business Committee, but shall be called by him upon the written request of a majority of the Business Committee or upon the written request of one hundred adult members of the Cheyenne-Arapaho Tribes.

ARTICLE IV — QUORUM

***SECTION 1. Any eight members of the Business Committee shall constitute a quorum at any meeting.

ARTICLE V — RATIFICATION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the Indians of the Cheyenne-Arapaho Tribes voting at an election called by the Secretary of the Interior under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and By-laws of the Cheyenne-Arapaho Tribes of Oklahoma.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws, are hereby declared inapplicable to the Cheyenne-Arapaho Tribes of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended August 11, 1937.

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner of Indian Affairs.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior

[SEAL]

WASHINGTON, D.C., August 25, 1937.

*** Amended November 7, 1961.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved August 25, 1937 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Cheyenne-Arapaho Tribes and was on September 18, 1937 duly approved by a vote of 542 for, and 517 against, in an election in which over 30 per cent of those entitled to vote cast their ballots, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

ALFRED WILSON,
Chairman, Business Committee.

JESSE ROWLODGE,
Secretary, Business Committee.

CHAS. H. BERRY,
Superintendent, Cheyenne and Arapaho Agency.

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[The Cheyenne-Arapaho Tribes of Oklahoma do not operate under a Federal charter.]

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CONSTITUTION OF THE COMANCHE INDIAN TRIBE

Ratified November 19, 1966

PREAMBLE

Invoking the guidance of Almighty God, we, the members of the Comanche Indian Tribe with faith in the purposes of our Supreme Being, with abounding pride in our ancient racial heritage and with the determination to promote, through united efforts, the general well-being of our tribe and to secure to ourselves and our descendants the rights, powers and privileges provided by law, do solemnly ordain and establish this organization and adopt the following constitution.

ARTICLE I — NAME

The name of this organization shall be the "Comanche Indian Tribe."

ARTICLE II — PURPOSE

The purpose of this organization shall be:

SECTION 1. To define, establish and safeguard the rights, powers and privileges of the tribe and its members.

SEC. 2. To improve the economic, moral, educational and health status of its members and to cooperate with and seek the assistance of the United States in carrying out mutual programs to accomplish these purposes by all possible means.

SEC. 3. To promote in other ways the common well-being of the tribe and its membership.

ARTICLE III — MEMBERSHIP

SECTION 1. The membership of the Comanche Indian Tribe shall consist of the following:

(a) All persons, who received an allotment of land as members of the Comanche Indian Tribe under the Act of June 6, 1900 (31 Stat. 672), and subsequent Acts, shall be included as full blood members of the tribe.

(b) All living direct descendants of allottees eligible for membership under the provisions of Section 1(a) of this Article born on or before the date of adoption of this constitution.

(c) All children of at least one-fourth (1/4) degree Comanche Indian blood, as defined by and derived from Section 1(a), born after the date of the adoption of the constitution to a member of the Comanche Indian Tribe; provided, that application for new membership has been submitted to the business committee supported as required by Section 2 of this Article.

SEC. 2. Applications for new membership in the Comanche Indian Tribe under Section 1(c) must be supported by authenticated copies of birth certificate or other records recognized by State or Federal recorders. All evidence so submitted shall be retained by the tribe to support the record.

SEC. 3. Any person eligible for membership in the Comanche Indian Tribe under the provisions of Section 1 of this Article shall be considered a member of the Comanche Indian Tribe unless:

(a) The person is an adult and submits in writing to the tribal chairman a statement of withdrawal from the Comanche Indian Tribe and relinquishment of all rights of tribal membership, signed by him or her and attested by two (2) witnesses, which statement shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder; or

(b) The person is at the time of the adoption of this constitution an enrolled member of another Indian tribe or has in the past received and accepted or, if a minor, whose parents or legal guardian has received and accepted for said minor, material or monetary benefits as a member of another Indian tribe and who fails or whose parents or legal guardian fails, if a minor, within ninety (90) days after the adoption of this constitution to declare in writing to the tribal chairman preference for membership in the Comanche Indian Tribe and at the same time in writing renounces membership is said other tribe; or

(c) The person after the adoption of this constitution by his or her affirmative action or, if a minor, by the affirmative action of his or her parents or legal guardian becomes a recognized or enrolled member of another Indian tribe with the full rights, privileges and powers of membership under the rules of said other tribe, which said affirmative action and subsequent recognition or enrollment shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder; or

(d) The person after the adoption of this constitution receives and accepts or, if a minor, his or her parents or legal guardian accepts for said minor, material or monetary benefits as a result of membership in another Indian tribe, which such receipt and acceptance shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder.

ARTICLE IV — ORGANIZATION AND OFFICERS

SECTION 1. The supreme governing body of this organization shall be the Comanche Tribal Council.

SEC. 2. In addition to the tribal council, there shall be elected a Comanche Business Committee.

SEC. 3. The elected officers of the tribal council shall be a tribal chairman, a tribal vice-chairman, and a tribal secretary-treasurer. In addition, these officers shall serve in the same capacity on the Comanche Business Committee.

ARTICLE V — TRIBAL COUNCIL

SECTION 1. The tribal council shall consist of all members of the Comanche Indian Tribe who are twenty-one (21) years of age and older.

SEC. 2. There shall be an annual meeting of the tribal council on the third Saturday in April of each year at 1:30 p.m. at the Fort Sill Indian School, Lawton, Oklahoma, or such other place as the business committee shall determine.

SEC. 3. In addition to the annual tribal council meeting, the tribal chairman shall be required to call a special tribal council meeting in the following cases:

(a) Upon written request by the Commissioner of Indian Affairs or his authorized representative; or

(b) When he is so requested in writing by as many as three members of the business committee, setting forth the purpose of the meeting; or

(c) When he is so requested by a petition signed by two hundred (200) eligible voters of the Comanche Indian Tribe, setting forth the purpose of the meeting consistent with this constitution; or

(d) Should the tribal chairman refuse to call and hold a meeting of the tribal council or neglect to do so for thirty (30) days after he is duly requested, the Commissioner of Indian Affairs or his authorized representative shall be authorized to call such special meeting and shall do so by notifying the officers and members of the business committee of the date thereof.

SEC. 4. Notice of all meetings of the tribal council, including the annual meeting, shall be given by the secretary-treasurer as follows:

(a) By mailing a postal card or letter to each member of the business committee at least ten (10) days prior to the meeting date, stating the date, time, place and purpose of the meeting; and

(b) By posting at a public place and inserting at least two (2) weeks prior to the meeting date a notice for three (3) consecutive days in the local newspapers containing the same information as set forth above. Radio, television, or other media of notice may also be utilized depending on availability and at the discretion of the business committee.

SEC. 5. Only tribal members who are twenty-one (21) years old and older shall be entitled to vote in a meeting of the tribal council, to hold office or to be elected to the business committee. All votes taken during tribal council meetings shall, at the discretion of the chairman, be by standing vote or by secret ballot.

SEC. 6. No action shall be taken by the tribal council unless a quorum is present. A quorum shall consist of two hundred and fifty (250) eligible voters.

SEC. 7. Subject to the approval of the Secretary of the Interior or his authorized representative where applicable, the authority of the Comanche Tribal Council shall include and be exclusive with respect to the following;

(a) To change, modify, alter or revoke membership rules.

(b) To execute leases, contracts or permits for five (5) or more years with regards to property which is owned exclusively by the Comanche Indian Tribe, but this does not include any individually-owned land or personal property.

(c) To elect tribal officers and members of the business committee and to fill vacancies which may occur pursuant to Article VII.

(d) To authorize the expenditure of funds which may be deposited to the exclusive credit of the Comanche Indian Tribe.

(e) To select and authorize tribal delegations to transact business on behalf of the tribe. When travel is involved, the terms of the resolution shall include the purpose of the trip and the extent of the delegation's authority.

SEC. 8. All minutes of the tribal council meetings shall be published in a manner to be determined by the tribal council.

ARTICLE VI — BUSINESS COMMITTEE

SECTION 1. The Comanche Business Committee shall be composed of seven (7) members of the Comanche Indian Tribe who are at least twenty-one (21) years of age, and be elected as provided in Article VII of this constitution.

SEC. 2. The business committee shall meet on the first Saturday of the months of January, April, July and October of each year at 10 a.m. In the case of a legal holiday, the meeting will be held on the following Saturday. Special meetings may be called by the tribal chairman at his discretion; provided, that such special meetings do not exceed a total of twelve (12) meetings per calendar year.

SEC. 3. Notice of all meetings of the business committee, including the regular meetings as set forth above, shall be given by the tribal secretary-treasurer by mailing a letter or postal card to each member of the business committee at least ten (10) days prior to the meeting date, setting forth the date, time, place and purpose in general terms.

SEC. 4. No action shall be taken by the business committee except when a quorum is present. A quorum shall consist of five committeemen.

SEC. 5. At the beginning of each meeting of the Comanche Business Committee, the tribal secretary-treasurer, or in his absence the acting secretary as may be appointed by the tribal chairman, shall call the roll of the members of the business committee and shall keep a record in the permanent minute book of the names of those present and those absent. If a tribal committeeman is absent for four (4) consecutive regularly scheduled meetings of the business committee, the tribal chairman shall declare his seat vacant and so notify in writing the tribal committeeman affected and steps shall be taken to fill the vacancy pursuant to Article VIII, Section 1.

SEC. 6. All minutes of the business committee shall be published in a manner to be determined by the business committee.

SEC. 7. The duties, responsibilities and authorities of the business committee shall include the following:

(a) To establish and maintain the tribal membership roll and to insure that the

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roll is available for inspection at all reasonable times.

(b) To determine qualifications of candidates nominated for office and to conduct election of tribal officers and business committeemen pursuant to the provisions of Section 2, Article VII, of this constitution.

(c) To execute leases, contracts or permits for periods not to exceed five (5) years with regard to property which is owned exclusively by the Comanche Indian Tribe, but this does not include any jurisdiction over individually-owned land or personal property.

(d) To develop annual budgets for the financing of Comanche tribal operations and to present such budgets to the tribal council for final consideration as to adoption or rejection.

(e) To develop proposals which are in the interest of fulfilling the purpose of the Comanche tribal organization including, but not limited to, programs involving employment, health, education, public relations, social, recreational, and historical activities of the tribe. Such program proposals shall be presented to the tribal council for final consideration as to adoption or rejection.

(f) To implement, administer, and report on progress of programs adopted by the tribal council.

(g) To appoint such subcommittees as are needed to develop the proposals suggested herein or any other worthwhile endeavors, including delegation of such authorities to these subcommittees as is commensurate with their responsibilities.

(h) To prepare for delivery tothose attending the annual tribal council meeting a written annual report which shall contain a synopsis of the varied activities of the business committee, a financial report and a forecast of activities proposed for the coming year.

(i) Such additional duties and/or responsibilities which may be assigned to the business committee by the tribal council by appropriate resolution approved in tribal council assembled.

ARTICLE VII — ELECTIONS

SECTION 1. As soon as practicable after this constitution is adopted the Area Director shall call a tribal council meeting and shall hold and supervise the first nomination and election hereunder for the tribal committeemen and officers, as follows:

(a) The Area Director may at his discretion delegate chairmanship of the initial meeting to an employee under his supervision. A secretary for the proceedings may be provided by the Area Director from his staff or he may also designate this responsibility to a member of the Comanche Indian Tribe.

(b) At the initial meeting the tribal council shall nominate candidates for the office of tribal chairman for three (3) years, vice-chairman for three (3) years, secretary-treasurer for two (2) years, two (2) business committee members for two (2) years, and two (2) business committee members for one (1) year. Nominations shall be made from the floor and accepted by the chairman. Persons duly elected at the ensuing election shall serve for the terms stated above unless their successors are duly elected prior to the expiration of such terms. Thereafter, all terms of office shall be for a period of three years or until a successor is duly elected.

(c) A list of nominees shall be made a part of the official minutes of the proceedings of this initial organization meeting from which determination shall be made that all such nominees are officially qualified as candidates for office in accordance with the provisions of Article IX of this constitution. The Area Director will be the final authority in making such determination as to the qualifications of candidates for the initial election of officers and committeemen of the Comanche Indian Tribe.

(d) Following the initial organization meeting, an election day shall be designated to elect the business committeemen and officers from among the candidates who were nominated during the initial meeting. This election day and polling places shall be declared by the Area Director. The election of committeemen and officers shall be by secret ballot. No absentee ballots will be considered at such elections.

SEC. 2. At each annual Comanche Tribal Council meeting subsequent to the first election of officers and business committeemen, under this constitution, candidates will be nominated to compete for election to offices being vacated by reason of expiration of term of office. Determination of qualifications of nominated candidates and election processes shall be as described in Section 1(c) and (d) of this Article except that the Comanche tribal officers and business committeemen will assume the responsibilities assumed by the Area Director for the first election under this constitution. No election shall be held later than 60 days after the annual meeting.

ARTICLE VIII — VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a committeemen or officer of the tribe shall die or resign, be removed or recalled from office, his office shall be deemed vacant and the tribal chairman, or should this office be vacant, the tribal vice-chairman, shall immediately call a meeting of the Comanche Tribal Council to be held within twenty (20) days for the purpose of filling such vacancy for the unexpired term, except that when such vacancy shall occur within four months of the annual meeting of the Comanche Tribal Council, the position shall remain vacant until the next election when provisions shall be made to fill the vacancy.

SEC. 2. The Comanche Tribal Council may at any annual meeting or at any special meeting duly called remove any officer or committeeman from office for neglect of duty or conduct that has brought disrepute upon the tribe. Before any vote for removal is taken, a signed Bill of Particulars setting forth the elements of neglect or misconduct shall be presented by the accusers to the tribal council and the accused must be given an adequate opportunity to answer any and all charges of which he is accused. A majority vote of those voting at the Comanche Tribal Council meeting shall be sufficient to effect removal from office and the decision of the Comanche Tribal Council shall be final.

SEC. 3. Any officer or committeemen who shall be found guilty by any State or

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Federal Court of a felony, a misdemeanor involving dishonesty or of accepting a bribe shall forfeit his office and such office shall immediately become vacant and be filled in accordance with Section 1 of this Article.

ARTICLE IX — QUALIFICATIONS OF OFFICERS

SECTION 1. No person may seek tribal office unless he will be at least twenty-one (21) years of age at the time of his election and is a member of the Comanche Indian Tribe.

SEC. 2. No member of the Comanche Indian Tribe who has been convicted of a felony, a misdemeanor involving dishonesty or of accepting a bribe shall be eligible to hold office.

ARTICLE X — BILL OF RIGHTS

SECTION 1. All members of the Comanche Indian Tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This constitution shall not in any way be construed to alter, abridge or otherwise jeopardize the rights and privileges of the Comanche Indians as citizens of the United States.

SEC. 3. The individual vested property rights of any member of the Comanche Indian Tribe, which shall include restricted lands and income therefrom as well as personal property, shall not be altered, abridged or otherwise affected by the provisions of this constitution.

ARTICLE XI — AMENDMENTS

SECTION 1. Amendments to this constitution may be proposed by a majority vote of the business committee or by a petition signed by two hundred (200) eligible voters and, if approved by the Commissioner of Indian Affairs, shall be submitted to the eligible voters, and will become effective upon ratification by them in the same manner as provided in Article XIII of this constitution.

ARTICLE XII — DUTIES OF OFFICERS

SECTION 1. The chairman shall be the chief executive of the Comanche Indian Tribe exercising the authorities and powers as delegated to his office by this constitution and the Comanche Tribal Council. He shall preside at all meetings of the tribal council and the business committee and be the principal member of all tribal delegations. When so authorized by the Comanche Tribal Council, he shall sign necessary papers and instruments for the Comanche Indian Tribe.

SEC. 2. The vice-chairman shall perform the duties of the chairman in the event of the temporary absence or disability of the chairman.

SEC. 3. The secretary-treasurer shall preside in the absence of the other officers and shall keep the records, including financial records, of the organization, shall record and keep the minutes of the tribal council and business committee meetings in a permanent book, and shall be responsible for sending all notices of meetings as herein required. He shall keep copies of all such notices and requests for meetings together with a statement by him or another officer, as the case may be, that such notices were mailed and published as required herein and place the same in the appropriate permanent minute book as a preface to the minutes of the meeting so called.

SEC. 4. Copies of all minutes of the tribal council and business committee meetings and resolutions shall be sent to the Anadarko Agency.

ARTICLE XIII — ADOPTION

SECTION 1. This constitution shall become effective when approved by the Commissioner of Indian Affairs and ratified by a majority vote of the eligible voters of the Comanche Indian Tribe voting in an election called by the Commissioner; provided, that at least thirty (30) percent of those eligible to vote cast ballots.

2-26-66

APPROVAL

I, ____________________, ____________________ Commissioner of Indian Affairs, do hereby approve the foregoing Constitution of the Comanche Indian Tribe.

Commissioner

Date: 1-9-67

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CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order approved _________________, 1966, by the _________________ Commissioner of Indian Affairs, the attached Constitution of the Comanche Indian Tribe was submitted for ratification to the eligible voters of the Comanche Indian Tribe and was on November 19, 1966, duly ratified/rejected by a vote of ________ for, and ________ against, in an election in which at least 30 percent of the _____ _____(number) eligible voters cast their ballots.

____
Chairman, General Election Board

____
General Election Board Member

____
General Election Board Member

____
General Election Board Member

____
General Election Board Member

____
Officer in Charge

***

The specific copy of the Constitution of the Comanche Indian Tribe sent to the editor, as can be seen, was incomplete, lacking the signatures of the various election board members, Commissioner of Indian Affairs, and officials of the Department of the Interior.

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[The Comanche Indian Tribe of Oklahoma does not operate under a Federal Charter.]

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RESOLUTION OF THE DELAWARE TRIBE OF INDIANS OF OKLAHOMA

Ratified July 5, 1958

WHEREAS: the Delaware Tribe of Indians of Western Oklahoma have been denied by the Secretary of the Interior the right to organize and avail itself of the provisions of the Oklahoma Welfare Act of June 26, 1936, and

WHEREAS: the Delaware Tribe of Indians of Western Oklahoma has and desires to continue to maintain its identity, customs and language, and

WHEREAS: the Delaware Tribe of Indians of Western Oklahoma desires to form an Executive Committee to carry on the business functions and affairs of the Tribe between meetings of the General Council.

BE IT RESOLVED, that there is hereby established an Executive Committee of the Delaware Tribe of Indians of Western Oklahoma to be composed of six (6) adult members of this tribe, and

BE IT FURTHER RESOLVED, that there be delegated to said Executive Committee full authority to act between meetings of the General Council on behalf of the tribe in all matters upon which the General Council is empowered to act and any authority exercised under the authority of this resolution shall not require concurrence or ratification of the General Council, and four (4) members of the Executive Committee shall constitute a quorum for the transacting of tribal business, and

BE IT FURTHER RESOLVED, that members of said Executive Committee shall be elected by the General Council on the first Saturday in the month of January of each year and such committeemen shall serve for a term of one year or until their successors are elected. Committeemen shall be elected at the annual meeting of the General Council for that purpose under such rules and regulations as the General Council has adopted for that particular meeting, and

BE IT FURTHER RESOLVED, that the members of said Executive Committee be empowered to elect from within their membership a President, Vice-President, Secretary and/or a Treasurer, who shall hold offices until the succeeding annual election meeting, and

BE IT FURTHER RESOLVED, that any member of the Tribe 21 years of age and over may vote in any annual election, and that twenty (20) voting members shall constitute a quorum at any annual election or other General Council meeting.

CERTIFICATION

I, Henry Chisholm, President of the Delaware Tribe of Indians of Western Oklahoma certify that the above resolution was passed at a General Council meeting held at Anadarko, Oklahoma on the 5th day of July, 1958, at which meeting there were 22 voting members present who voted 22 for and 0 against the resolution.

HENRY CHISHOLM

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The foregoing resolution which was passed on July 5, 1958, by the General Council of the Delaware Tribe of Indians of Western Oklahoma is hereby given official recognition as the governing document of the Tribe.

FRED H. MASSEY
Acting Deputy Commissioner

Aug. 19, 1958
Washington, D. C.

***

RESOLUTION

WHEREAS, the Delaware Tribe of Indians of Western Oklahoma desires to make a current roll of the members of the tribe, and

WHEREAS, there are no approved criteria for membership in the tribe,

THEREFORE, now be it resolved that the Area Director of the Anadarko Area Office shall be and hereby is requested to forward to the Washington Office for approval the following membership requirements which shall become effective immediately upon approval of either the Commissioner of Indian Affairs or the Secretary of the Interior.

MEMBERSHIP REQUIREMENTS

SECTION 1. Membership in the Delaware Tribe of Indians of Western Oklahoma shall be by application and enrollment.

SEC. 2. All applications for membership by persons born prior to the date of ratification of this Resolution shall be in writing, shall include a sworn renunciation of all rights of membership in any other tribe, and shall be submitted within two years after the approval of this Resolution.

(a) All applications on behalf of persons born subsequently to the ratification of this Resolution shall include a certified birth certificate and a sworn renunciation of all rights of membership in any other tribe.

(b) Every allegation of fact made by or on behalf of an applicant for membership shall be under oath and in all cases the burden of proof shall be on the applicant.

SEC. 3. The following persons for whom applications are filed in accordance with Section 2 of this Article shall be enrolled:

(a) All living persons of Delaware Indian blood whose names appear or were entitled to appear on the official census roll of January 1, 1940.

(b) All living persons of Delaware Indian blood who have been born between the dates of the official census roll of January 1, 1940, and the ratification of this Resolution.

(c) All living persons born subsequently to the ratification of this Resolution who are 1/8 degree or more Delaware Indian blood and one of whose parents is a member of the Delaware Tribe of Indians of Western Oklahoma.

SEC. 4. The Tribal Executive Committee shall appoint three qualified members of the tribe who are not members of the Executive Committee to serve as a Membership Committee. The Membership Committee shall have the following responsibilities:

(a) To maintain the official membership roll, adding thereto the names of qualified persons and striking therefrom the names of deceased members.

(b) To consider all applications for membership and submit them with recommendations to the Tribal Executive Committee for action. Upon approval of the application by a vote of five members of the Executive Committee, the name of the applicant shall be entered upon the official membership roll.

(c) To correct the official membership roll as based upon the census roll of January 1, 1940, subject to approval by a vote of five members of the Executive Committee and subject to review by the Secretary of the Interior, within two years from the ratification of this Resolution.

SEC. 5. The Tribal Executive Committee shall have power to prescribe rules and regulations, not inconsistent with this Resolution and subject to review by the Secretary of the Interior, covering future membership, including adoption, expulsion and loss of membership.

CERTIFICATION

I, William E. Exendine, Secretary of the Delaware Tribe of Indians of Western Oklahoma certify that the above resolution was passed in a General Council Meeting held at Anadarko, Oklahoma, on 22nd day of December, 1956, at which meeting there were 28 voting members present who voted 28 for and 0 against the resolution.

WILLIAM E. EXENDINE

Approved July 30, 1957

HOMER JENKINS,
Acting Assistant Commissioner

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[The Delaware Tribe of Indians of Western Oklahoma does not operate under a Federal Charter.]

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CORPORATE CHARTER OF THE IOWA TRIBE OF OKLAHOMA

Ratified February 5, 1938

Whereas, the Iowa Tribe of Oklahoma constitutes a recognized Tribe of Indians residing in Oklahoma, organized under a constitution and by-laws approved by the Secretary of the Interior on September 22, 1937, and ratified by the Indians of the said tribe on October 23, 1937, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said tribe, by resolution of the Iowa Business Committee duly authorized, has requested that a charter of incorporation be issued to the said tribe, subject to ratification by a vote of the members of the Tribe;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 26, 1936, do hereby issue this charter of incorporation to the Iowa Tribe of Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Iowa Tribe voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Iowa Tribe of Oklahoma shall be:

(a) To define and safeguard the rights and powers of the Iowa Tribe of Oklahoma and its members;

(b) To advance the standard of living of the Tribe through the development of tribal resources, the acquisition of new tribal land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Tribe;

(c) To promote in any other way the general welfare of the Indians of the Iowa Tribe of Oklahoma.

2. Name, Membership and Organization. The name of this corporation shall be the Iowa Tribe of Oklahoma, as provided in the Constitution and By-laws of the said tribe. The membership, the officers, and the management of the incorporated tribe shall be as provided in the said Constitution and By-laws.

3. Corporate Powers. The Iowa Tribe of Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and By-laws of the Tribe, and subject to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any court; Provided, however, That the grant or exercise of such power shall not be deemed a consent by

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the Tribe or by the United States to the levy of any judgment, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the Tribe may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984) and Section 6 of the Act of June 26, 1936 (49 Stat. 1967), or from any other governmental agency, or from any member or association of members of the Tribe.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Iowa Tribe.

(i) To employ counsel for the protection and advancement of the rights of the Tribe and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal land to members of the Tribe, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Iowa Tribe.

(n) To regulate the manner of holding tribal elections.

(o) To regulate the procedure of the Council and Business Committee and all other tribal committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Iowa Tribe.

(q) To purchase, take by gift, bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real or personal.

(r) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(s) To protect all rights guaranteed to the Iowa Tribe of Oklahoma by treaty or agreement.

(t) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(u) To exercise such further powers as may in the future be delegated to the Tribe by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitations of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations:

(a) No tribal land or interest in land shall ever be sold or mortgaged.

(b) No tribal land or interest in land shall be leased for a longer period than ten years, except that oil, gas or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (49 Stat. 984).

(d) No assignment of future income, other than assignments to the United States, shall be made for more than five years in advance.

(e) In any attorney's contract hereafter executed by the Tribe, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Tribe shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the Tribe of more than $2,000 or more than $1,200 in any one year.

(b) Any transaction by which the Tribe borrows money where such borrowing brings the total indebtedness of the Tribe, aside from loans from the Indian Credit Fund, to a figure in excess of $500.

(c) Any resolution or ordinance governing the making of land assignments to members of the Tribe, the acquisition of land from members of the Tribe, or the use of tribal land by an individual.

(d) Any lease, grazing permit, or other contract affecting tribal land, tribal minerals, or other tribal interest in land.

(e) Any per capita distribution of corporate income to members of the Tribe, in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter, any power of review established by Section 5 may be terminated by the Secretary of the Interior with the consent of the Iowa Council. At or before the expiration of this ten year period, the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the Iowa Council.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Iowa Tribe of Oklahoma, not expressly referred to in the Constitution, By-laws or Charter of the said tribe, shall not be abridged, but may be exercised by the people of the Iowa Tribe of Oklahoma, through the adoption of appropriate additions and amendments to the Constitution and By-laws or Charter of the said tribe. No property rights or claims of the Iowa Tribe existing before the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The tribal ownership of unallotted lands, whether or not occupied by any particular individuals,is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any debts or liabilities of the Tribe without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an Act of Congress, but amendments may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the Tribe. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all members of the Tribe, and shall be effective if approved by a majority vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Iowa Tribe of Oklahoma, provided that at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Shawnee Indian Agency and the Chairman and Secretary of the Tribe.

Submitted by the Assistant Secretary of the Interior for ratification by the Iowa Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D.C., January 4, 1938.

***

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 28, 1936 (49 Stat. 1967), do hereby approve the attached charter of the Iowa Tribe of Oklahoma, subject to ratification by the Tribe in the manner therein provided.

Upon ratification of this charter all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may

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be incompatible with any of the provisions of the said charter and the constitution and by-laws, approved by me on September 22, 1937, and duly ratified by the Tribe on October 23, 1937, are declared inapplicable to the Iowa Tribe of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and by-laws, and the charter if, and when ratified by the Tribe.

Approval recommended December 10, 1937.

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner of Indian Affairs.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

WASHINGTON, D.C., January 4, 1938.

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CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Charter, issued on January 4, 1938, by the Assistant Secretary of the Interior to the Iowa Tribe of Oklahoma was duly submitted for ratification to the adult members of the Tribe, and was on February 5, 1938 duly ratified by a vote of 23 for, and 15 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

JACK LINCOLN,
Chairman of the Iowa Tribe.

MARIE ROUBIDOUX,
Secretary of the Iowa Tribe.

F. E. PERKINS,
Superintendent, Shawnee Indian Agency.

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CONSTITUTION AND BY-LAWS OF THE IOWA TRIBE OF OKLAHOMA

Approved September 22, 1937

PREAMBLE

We, the Indians of the Iowa Tribe of Oklahoma, in order to promote our common welfare and to secure to ourselves and our descendants the rights, powers and privileges offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat 1967), do establish this organization and adopt the following constitution and bylaws pursuant to that act.

ARTICLE I — NAME

The name of this organization shall be the Iowa Tribe of Oklahoma.

ARTICLE II — MEMBERSHIP OF TRIBE

The membership of the Iowa Tribe of Oklahoma shall consist of the following persons:

SECTION 1. All living original Iowa of Oklahoma allottees who are of Iowa Indian blood, and all living descendants of the original allottees of Iowa Indian blood born prior to the effective date of this amendment, provided such persons have not elected to be enrolled with another tribe or have not received a share of land or money by virtue of having been enrolled with another tribe, and provided further, that anyone born prior to the date of ratification of this amendment who has qualified for membership under Article II of the constitution as originally adopted by the tribe, but who does not qualify for membership under this amendment shall be enrolled as a member if he files a notification in writing with the tribal officials that he desires to continue his membership in the Iowa Tribe and if he is not enrolled as a member of another tribe.

SEC. 2. All persons of one-fourth or more degree Iowa of Oklahoma Indian blood born to members after the effective date of this amendment, provided such persons elect not to be enrolled with another tribe.

[Article II amended by Amendment I, approved December 30, 1960. What is printed herein is the amended form.]

ARTICLE III — MEMBERSHIP OF COUNCIL

The supreme governing body of the tribe shall be the Iowa Council. The membership of the council shall be all the members of the Iowa Tribe, 21 years of age and older.

[Article III amended by Amendment II, approved December 30, 1960.]

ARTICLE IV — OFFICERS

SECTION 1. The officers of this tribe shall be the chairman, vice chairman, secretary, treasurer and one councilman. The term of office shall be for two years, or until their successors are elected and installed.

ARTICLE V — COMMITTEES

SECTION 1. There shall be a business committee which shall consist of the officers and councilman as provided in Article IV. This committee shall have power to transact business and otherwise speak or act on behalf of the tribe in all matters on which the tribe is empowered to act. The powers of the tribe shall be set forth in detail in the corporate charter to be requested by the business committee.

SEC. 2. Grievance Committee. This committee shall consist of three members who shall be elected by the council and shall not include any members of the business committee.

ARTICLE VI — MEETINGS

SECTION 1. Annual meetings of the council shall be held during the month of June of each year with the time and place being designated by the business committee which will announce and have published notices of the meeting at least ten (10) days prior to the meeting.

SEC. 2. Special meetings of the council may be called at the discretion of the chairman, and shall be called by him upon the written request of a majority of the business committee or upon the written request of twenty-five members of the tribe, provided that at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of a special meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added no other business can be transacted except for the object stated in the call.

SEC. 4. The regular meetings of the business committee shall be held on the first Saturday of January, April, July and October of each year.

SEC. 5. Special meetings of the business committee may be called by the chairman at his discretion, and shall be called by him upon the written request of three members of the business committee.

[Sections 1 and 4 amended by Amendment III, approved December 30, 1960.]

ARTICLE VII — ELECTIONS

SECTION 1. Within 30 days after the adoption of this constitution and bylaws, an election of officers of the tribe and members of the grievance committee shall be held by the council. The officers of the tribe and the members of the grievance committees elected at this election shall serve till the next regular election provided for in Section 2 of this article or until their successors are elected and installed.

SEC. 2. Regular elections of officers and members of the grievance committee shall be held by the council at its regular annual meeting on the second Wednesday in June 1939, and on the second Wednesday in June of each second year thereafter, except that after the adoption of this amendment the election will be held during the month of June of every other year at the time and place as set out in Section 1, as amended, of Article VI of this constitution. [Sec. 2 amended by Amendment IV, approved December December 30, 1960.]

SEC. 3. Election shall be by standing vote, a majority vote of the membership present being necessary to elect. Where there are more than two candidates for an office and no one receives a majority vote, the low candidate shall be eliminated and voting shall proceed until one candidate receives a majority of the votes cast. Nominations may be made from the floor. The newly elected officers shall be installed immediately upon their elections.

ARTICLE VIII — VACANCIES

Vacancies in any elective office shall be filled for the unexpired term at any special or regular meeting of the council.

ARTICLE IX — REMOVAL OF OFFICERS

The grievance committee shall investigate complaints of misconduct in office of the members of the business committee and upon a proper showing shall call a special meeting of the council to act upon such complaints. The council shall have power, by a majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

ARTICLE X — BILL OF RIGHTS

SECTION 1. All members of the tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This constitution shall not in any way, alter, abridge or otherwise jeopardize the rights and privileges of the members of this tribe as citizens of the State of Oklahoma or the United States.

SEC. 3. The individual property rights of any member of the tribe shall not be altered, abridged or otherwise affected by the provisions of this constitution and bylaws without the consent of such individual member.

ARTICLE XI — AMENDMENTS

Amendments to this constitution and the attached bylaws may be proposed by a majority vote of the business committee or by a petition signed by 30 percent of the adult members of the tribe, and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the tribe, and shall be effective if approved by a majority of the votes cast.

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BYLAWS OF THE IOWA TRIBE OF OKLAHOMA

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. The chairman shall preside at all meetings of the council and of the business committee. He shall have general supervision of the affairs of the council and of the business committee and shall perform all duties appertaining to the office of chairman.

SEC. 2. Vice Chairman. In the absence of the chairman, the vice chairman shall perform the duties of that office. In case of vacancy, the vice chairman shall succeed at once to the office of the chairman until the next special or regular election for the office of chairman.

SEC. 3. Secretary. The secretary shall keep an accurate account of all proceedings and official records of the council and of the business committee. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the council and of the business committee. All official records of the secretary shall be open to inspection by the members of the council, in the presence of the secretary, upon the order of the grievance committee. He shall keep a correct list of all members of the council, shall authenticate all accounts or orders of the council and, in the absence of the chairman and vice chairman shall call meetings to order until a chairman pro tem is elected. He shall render a written report at the annual council meeting and, at the expiration of his term of office, the records and all papers in his possession shall be turned over to his successor.

SEC. 4. Treasurer. The treasurer shall be the custodian of all funds in possession of the council from any source. He shall keep an accurate record of all such funds and shall disburse the same in accordance with the vote of the business committee. He shall render a written report at the annual council meeting and at such times as he is requested to do so by the business committee. He shall keep all tribal moneys entrusted to his care in a special account. At any time that such accounts shall amount to more than $50.00, he shall file a bond satisfactory to the business committee, and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal money. At the expiration of his term of office, the records and all papers and funds in his possession shall be turned over to his successor.

ARTICLE II — QUALIFICATIONS OF OFFICERS

Any person elected to membership on the business committee shall be not less than 21 years of age and a member of the Iowa Tribe of Oklahoma. Any person holding an elective office who without reasonable cause misses three regularly called meetings in succession shall automatically lose office.

[Article II amended by Amendment V, approved December 30, 1960.]

ARTICLE III — PLACE OF MEETINGS

All regular and special meetings of the council and the business committee shall be held as specified by the business committee. The time and place of meeting shall be designated by the business committee in its call or notice of meeting.

[Article III amended by Amendment VI, approved December 30, 1960.]

ARTICLE IV — QUORUM

SECTION 1. Twenty members of the council shall constitute a quorum to transact business at any meeting.

SEC. 2. Three members of the business committee shall constitute a quorum to transact business at any meeting.

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ARTICLE V — ADOPTION

This constitution and bylaws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the members of the Iowa Tribe of Oklahoma voting at an election called by the Secretary of the Interior under rules and regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

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[Original document approved by Assistant Secretary of the Interior on September 22, 1937.]

[Closing details of approval and tribal ratification not provided for inclusion here.]

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RESOLUTION OF THE KAW INDIAN TRIBE
OF OKLAHOMA

Approved July 23, 1959

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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON 25, D.C.

Tribal Programs
10718-58
16525-58

July 23, 1959

Mr. Will J. Pitner
Area Director
Anadarko, Oklahoma

We regret that we have not been able to reply sooner to your letter enclosing the minutes and resolution of the general council meeting of the Kaw Indian Tribe of Oklahoma establishing a governing body to speak for the tribe.

In our previous letter of December 23, 1958, we did recognize the Kaw Indian Business Council as the official governing body of the tribe to speak and act in behalf of the tribe. However, please advise this council that we are in accord with your comment regarding Section 5 of the resolution. We cannot approve this provision because it attempts to usurp the prerogative of Congress to decide upon the manner of distribution of a judgment fund and purports to disinherit collateral heirs. We are, however, approving the balance of the resolution, but the tribe should clearly understand that this is not organization under the Oklahoma Welfare Act as this can only be accomplished through an election pursuant to Secretarial regulations.

Sincerely yours,

ROGER ERNST

Assistant Secretary of the
Interior

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A General Tribal meeting of the Kaw Indians of Oklahoma was held in the meeting place at Washunga on Sunday, October 12, 1958.

The meeting was called to order by the Chairman, Tom Dennison. The minutes of the previous meeting were read by the Secretary, Mrs. Crisp. The minutes stood approval and the Chairman asked for old business—as there was no old business brought forward for discussion, the chairman then called for new business. At this point the chairman explained to the tribal members the importance of passing a resolution setting forth rules and regulations governing the tribe, thereby organizing the Kaw Indian Tribe under the Oklahoma Indian Welfare Act.

The Chairman then read the sample resolution which had been drafted by the Council members section by section, explaining each section fully as he proceeded. After a thorough discussion by the tribal members a vote was taken on the resolution—the vote was 38 in favor of the resolution and no opposition.

A general discussion of past Kaw Indian history was held and the meeting was adjourned.

MRS. MELVIN CRISP

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RESOLUTION

WHEREAS, the Kaw Indian Tribe of Oklahoma is not organized under the provisions of the Oklahoma Indian Welfare Act and does not now possess a constitution and bylaws or rules and regulations for the conduction of tribal business, and

WHEREAS, it is the desire of the Kaw Indian Tribe of Oklahoma to establish rules and regulations under which a governing body for the tribe may be established and authorized to represent, speak, and act for the Kaw Indian Tribe of Oklahoma in matters affecting the properties and general business of the Tribe except the Kaw Indian Cemetery Association which is a separate organization established by the Kaw Tribe to take care of the Kaw Cemetery and the business connected with it.

NOW BE IT THEREFORE RESOLVED, that:

SECTION 1. (a) A Kaw Business Committee is hereby established to consist of a Chairman, Vice-chairman, Secretary-Treasurer and three (3) Committeemen.

(b) Four (4) members of the Kaw Business Committee shall constitute a quorum for the official transaction of tribal business. Twenty-five (25) adult members of the Kaw Indian Tribe shall constitute a quorum at any General Council meeting called to transact tribal business.

(c) No person shall be a candidate for membership in the Kaw Business Committee unless he shall be a member of the Kaw Indian Tribe, one-fourth degree by blood or more, and his name on the membership rolls of the Kaw Tribe, and shall be at least 25 years of age.

SECTION 2. The membership of the Kaw Indian Tribe of Oklahoma shall consist of all living original Kaw Indian allottees and the living descendants by blood of all original Kaw Indian allottees, except the following persons:

(1) Those persons otherwise entitled to enrollment who elect to be enrolled with another tribe.

(2) Those persons otherwise entitled to enrollment who have received any payments in land or money by virtue of having been enrolled with some other tribe.

SECTION 3. (a) The first election of the Business Committee under this resolution was called by the Area Field Representative and his authorized representative of the Pawnee Area Field Office. Thereafter, the elections shall be held every four (4) years, at the Annual Meeting of the General Council. The term of office of members of the Kaw Business Committee shall be for four (4) years, or until their qualified successors are elected and installed.

(b) Nominations shall be made from the floor. Election shall be by standing vote, a plurality vote being necessary to elect. The newly elected officers shall be installed immediately upon their election.

(c) If the Kaw Business Committee shall fail to give proper notice of election, or in case a regular election is not held as provided in Section 3 of this resolution, the Commissioner of Indian Affairs or his authorized representative shall call such an election and shall give at least 30 days notice, setting the time and place of the election.

SECTION 4. Vacancies in any elective office shall be filled by a qualified Kaw Indian member at any regular or special meeting of the Kaw General Council.

SECTION 5. In the event that the Kaw Indian Tribe of Oklahoma should receive any compensation for tribal lands, minerals or from any other sources, the funds thus obtained shall be paid to the members on the basis of the 1902 Kaw Indian Allotment Roll and in the event of the Commissioner of Indian Affairs or his representative being unable to find any direct heir to any deceased member who was enrolled under the said 1902 Kaw Indian Allotment Roll, that particular share shall be placed in the Kaw Indian Tribal funds and paid out according to the provisions of this section of the resolution.

SECTION 6. It shall be the duty of the Chairman to preside at all meetings of the Kaw Business Committee and Kaw General Council and perform all duties pertaining to the office. He shall exercise all authorities delegated to him and he shall be entitled to vote on all questions.

SECTION 7. In the absence of the Chairman, the Vice-Chairman shall perform the duties of the Chairman, assuming all the privileges, duties, and responsibilities of the Chairman.

SECTION 8. The Secretary-Treasurer shall correctly record the proceedings of all meetings of both the Business Committee and the General Council of the Kaw Indian Tribe and shall forward copies of the minutes of all meetings to the Area Director. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the Tribe. He shall make out the order of business for the Chairman; shall have custody of the records and all papers of the Tribe which records shall be open to inspection at any time, in his presence, by any member of the Kaw General Council desiring to review them. He shall keep a correct and current list of all members of the Kaw Indian Tribe, shall authenticate all accounts or orders of the General Council, and in the absence of the Chairman and Vice-Chairman, shall call the meeting to order until a Chairman Pro Tem is selected. He shall render a written report at the annual meeting and at the expiration of his term of office, records and all papers in his possession belonging to the Kaw Tribe shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence as directed by the General Council or the Business Committee. He shall keep an accurate account of receipts and disbursements of all monies belonging to the Kaw Business Committee which may come into his hands and make appropriate reports to the Kaw Business Committee and the Kaw General Council at its annual meeting. The accounts and records of the Kaw Business Committee and the General Council shall be open at all times for inspection and audit by the Commissioner of Indian Affairs or his authorized representative. The Secretary-Treasurer shall keep all tribal moneys entrusted to his care in a special account and all disbursements therefrom should be made by check. He shall file a surety bond satisfactory to the Business Committee and the Commissioner of Indian Affairs or his authorized representative. The cost of such bond shall be paid for from tribal funds.

SECTION 9. Special meetings of the Kaw General Council may be called at the discretion of the Chairman and shall be called by him at the request in writing of a majority of the Business Committee or by a written request of thirty (30) percent of the qualified voters of the General Council.

SECTION 10. The regular meeting of the Kaw Business Committee shall be held the first Sunday of each month at the meeting house in Washunga unless otherwise designated by the Chairman and proper notice to the members of the Business Committee shall be mailed to them at least five (5) days prior to the date of each meeting unless otherwise provided by resolution.

SECTION 11. There shall be an annual meeting of the Kaw General Council on the second Sunday in September of each year, to be held at the meeting house in Washunga, unless another time and place is designated by the Kaw Business Committee and publicized in the public notices of the General Council which shall be made by the Business Committee or the Secretary-Treasurer in local newspapers and posted in public places, at least 10 days prior to the date of such annual meeting.

SECTION 12. Special meetings of the Kaw Business Committee may be called by the Chairman at his discretion and shall be called by him upon the written request of a majority of the Business Committee members.

SECTION 13. All meetings of the Kaw Business Committee and the Kaw General Council shall be conducted in accordance with Roberts Rules of Order.

SECTION 14. A qualified voter of the Kaw Indian Tribe shall be any member of the Tribe who is 21 years or age or older.

SECTION 15. This resolution may be amended by a majority vote of the qualified voters of the Kaw Tribe of Indians at an election called for that purpose by the Chairman of the Kaw Business Committee. It shall be the duty of the Chairman of the Kaw Business Committee to call such an election or referendum at the request of a majority of the Kaw Business Committee, or upon presentation of a petition signed by at least thirty (30) percent of the qualified voters of the Kaw Indian Tribe; provided, that not less than thirty (30) days' notice of such a meeting and proposed amendment shall be given to the members of the tribe directly by mail, if feasible, and by appropriate publicity throughout the communities in which the tribal members reside.

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CERTIFICATE

The foregoing resolution was duly adopted this 7th Day of October 1958, at a duly called meeting of the General Council of the Kaw Indian Tribe.

ATTEST:

TOMMY JOE DENNISON
MRS. EMMA J. MUNROE
WALTER KEKAHBAH
MRS. CLARA M. LITTLEWALKER
MRS. MELVIN CRISP
STANFORD HARDY

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CORPORATE CHARTER OF THE KIALEGEE TRIBAL TOWN, OKLAHOMA

Ratified September 17, 1942

Whereas, the Kialegee Tribal Town constitutes a recognized band of Indians residing in Oklahoma, organized under a constitution and by-laws approved by the Assistant Secretary of the Interior on April 14, 1941, and ratified by the Indians of the said Town on June 12, 1941, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said Tribal Town, by resolution of the Kialegee officers duly authorized, has requested that a charter of incorporation be issued to the said Tribal Town, subject to ratification by a vote of the members of the Tribal Town;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 26, 1936, do hereby issue this Charter of incorporation to the Kialegee Tribal Town to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Kialegee Tribal Town voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Kialegee Tribal Town shall be:

(a) To define and safeguard the rights and powers of the Kialegee Tribal Town and its members.
(b) To advance the standard of living of the town through the development of tribal town resources, the acquisition of new tribal town land, the preservation of existing landholdings, the better utilization of land and the development of a credit program for the tribal town.
(c) To promote in any other way the general welfare of the Indians of the Kialegee Tribal Town.

2. Name, Membership, and Organization. The name of this corporation shall be the Kialegee Tribal Town, as provided in the Constitution and By-laws of the said tribal town. The membership, the officers, and the management of the incorporated tribal town shall be as provided in the said Constitution and By-laws.

3. Corporate Powers. The Kialegee Tribal Town, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and By-laws of the tribal town, and to the limitations of sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936;

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any courts: Provided, however, That the grant or exercise of such power shall not be deemed a consent by the tribal town or by the United States to the levy of any judgment, lien,

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or attachment upon the property of the tribal town other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the town may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transactions of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), from any other governmental agency, from any member or association of members of the tribal town, or from any other source, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or association of members of the Kialegee Tribal Town.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Kialegee Tribal Town.

(i) To employ counsel for the protection and advancement of the rights of the tribal town and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal town assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or Federal projects for the benefit of the tribal town prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal town land to members of the tribal town, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Kialegee Tribal Town.

(n) To regulate the manner of holding tribal town elections.

(o) To regulate the procedure of the officers and membership and all other tribal town committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Kialegee Tribal Town.

(q) To purchase, take by gift, bequest or otherwise, own, hold, manage, operate, and dispose of property of every description, real or personal.

(r) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(s) To protect all rights guaranteed to the Kialegee Tribal Town by treaty.

(t) To delegate to subordinate bodies, committees, or officers, or to any co-operative association which is open to all members of the tribal town, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(u) To exercise such further powers as may in the future be delegated to the tribal town by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitations of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations:

(a) No tribal town land or interest in land shall ever be sold or mortgaged.

(b) No tribal town land or interest in land shall be leased for a longer period than ten years, except that oil, gas or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal town land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (48 Stat. 984).

(d) No assignments of future income, other than assignments to the United States, shall be made for more than five years in advance.

(e) In any attorney's contract hereafter executed by the tribal town, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the tribal town shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the Tribal Town of more than $5,000.

(b) Any transactions by which the Tribal Town borrows money where such borrowing brings the total indebtedness of the tribal town, aside from loans from the Indian Credit Fund, to a figure in excess of $500.

(c) Any resolution or ordinance governing the making of land assignments to members of the Tribal Town, the acquisition of land from members of the Tribal Town, or the use of tribal town land by individuals.

(d) Any lease, grazing permit, or other contract affecting tribal town land, tribal town minerals, or other tribal town interest in land.

(e) Any per capita distribution of corporate income to members of the tribal town in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter, any power of review extablished by Section 5 may be terminated by the Secretary of the Interior with the consent of the Kialegee Tribal Town membership. At or before the expiration of this ten year period the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the Kialegee Tribal Town membership.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Kialegee Tribal Town, not expressly referred to in the Constitution, By-laws or Charter of the said Tribal Town, shall not be abridged, but may be exercised by the people of the Kialegee Tribal Town, through the adoption of appropriate additions and amendments to the Constitution, By-laws or Charter of the said Tribal Town. No property rights or claims of the Kialegee Tribal Town existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The Tribal Town ownership of unallotted lands, whether or not occupied by any particular individuals, is hereby expressly recognized. The individually-owned property of members of the Tribal Town shall not be subject to any corporate debts or liabilities without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an Act of Congress, but amendments may be proposed by a majority vote of the Business Committee or by a petition signed by 30 percent of the adult members of the Tribal Town. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote by all members of the Tribal Town, and shall be effective if approved by a majority vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Kialegee Tribal Town, provided that at least 30 percent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Five Civilized Tribes agency and by the Town King and the Secretary of the Tribal Town.

Submitted by the Assistant Secretary of the Interior for ratification by the Kialegee Tribal Town.

OSCAR L. CHAPMAN,
Assistant Secretary.

Washington, D.C., July 23, 1942.   [SEAL]

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I, Oscar L. Chapman, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Charter of the Kialegee Tribal Town of Oklahoma, subject to ratification by the tribe in the manner therein provided.

Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Charter and the Constitution and By-laws, approved by me on April 14, 1941, and duly ratified by the tribe on June 12, 1941, are declared inapplicable to the Kialegee Tribal Town of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws, and the Charter, if and when, ratified by the tribe.

Approval recommended: May 15, 1942.

WILLIAM ZIMMERMAN, JR.
Assistant Commissioner of Indian Affairs.

OSCAR L. CHAPMAN,
Assistant Secretary.

[SEAL]

WASHINGTON, D.C., July 23, 1942.

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CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Charter, issued on July 23, 1942 by the Assistant Secretary of the Interior to the Kialegee Tribal Town of Oklahoma was duly submitted for ratification to the adult members of the tribe, and was on September 17, 1942, duly adopted by a vote of 42 for, and 3 against, in an election in which over 30 percent of those entitled to vote cast their ballots.

DANIEL SCOTT,
Town King, Kialegee Tribal Town.

LOUIS KING,
Secretary, Kialegee Tribal Town.

A. M. LANDMAN,
Superintendent, Five Civilized Tribe Agency.

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CONSTITUTION AND BY-LAWS OF THE KIALEGEE TRIBAL TOWN, OKLAHOMA

Ratified June 12, 1941

PREAMBLE

We, the members of the Kialegee Tribal Town, one of the former several Tribal Towns of the Creek Indian Nation, now of the State of Oklahoma, in order to promote our common welfare and to secure and obtain for ourselves and for our posterity the benefits, rights, privileges and powers offered to us by the Oklahoma Indian Welfare Act of Congress approved June 26, 1936 (49 Stat. 1967), known as the Thomas-Rogers Act, do hereby establish and adopt the following constitution and bylaws of the Kialegee Tribal Town.

ARTICLE I — NAME

The name of this town organization shall be the Kialegee Tribal Town.

ARTICLE II — PURPOSES

The purposes of this organization shall be as follows:

SECTION 1. To secure and obtain the benefits, rights, privileges, and powers as provided by the Oklahoma Indian Welfare Act of Congress approved June 26, 1936 (49 Stat. 1967) and that part of the Indian Reorganization Act approved June 18, 1934 (48 Stat. 984), which may be good, beneficial, and appliable to the members of the Town.

SEC. 2. To secure and obtain the benefits, rights, privileges, and powers as provided by the existing laws of the United States and those which hereafter may be enacted for the good and benefit of Indians or other citizens of the United States administered by different governmental agencies, such as relief, conservation, rehabilitation, resettlement, hospitalization, education, economic and all other programs thatmay be for the good and benefit of the members of the Town.

SEC. 3. To care for the aged and unhealthy members, and otherwise promote the general welfare of the Town.

ARTICLE III — MEMBERSHIP

SECTION 1. Except as provided in Sections 2 and 7, the membership of the Kialegee Tribal Town shall consist of one-half blood to full blood Creek Indians, both male and female, and one-half to full blood Indian of other tribes.

SEC. 2. All persons of Creek Indian blood who are members of the Kialegee Tribal Town as determined by the Town roll as of the date of the adoption of this Constitution and Bylaws, whether or not such persons are enrolled on the approved Federal Dawes Commission Roll, shall be the original members.

SEC. 3. All children born of female Kialegee members shall become members of the

Town regardless of the status of their fathers.

SEC. 4. All children born of a marriage between a male member of the Kialegee Tribal Town and a female member of any other Tribal Town or Tribe may become members of the Town if their parents apply for their admission to the Town and if they are accepted and approved by a majority vote of the members present at any regular Kialegee Tribal Town membership meeting.

SEC. 5. All adult offspring of a marriage between a male member of the Kialegee Tribal Town and a female member of any other Tribal Town or Tribe may become members of the Town by applying for admission, when accepted and approved by a majority vote of the members present at any regular Kialegee Tribal Town membership meeting.

SEC. 6. A husband of a female member and a wife of a male member of the Kialegee Tribal Town, who are members of other Tribal Towns or Tribes, may become members of the Kialegee Tribal Town by applying for admission to the Town, when accepted and approved by a majority vote of the members present at any regular Kialegee Tribal Town membership meeting.

SEC. 7. Any married full blood Indian member of any other Tribal Town or Tribe may apply for admittance to the Kialegee Tribal Town as "Adopted Member" in the following manner:

(a) The applicant must have the consent of his or her Tribal Town or Tribe and must relinquish his or her membership in any tribal town, tribe, or band other than the Creek Nation of the State of Oklahoma;

(b) The applicant must pay to the Kialegee Tribal Town a $5.00 admission fee in advance, such fee to be returned to said applicant should he or she be denied admittance to the Town;

(c) If the applicant, after a thorough investigation, is accepted and approved by a majority vote of the members present at any regular Kialegee Tribal Town membership meeting, said applicant shall then become an "Adopted Member" of the Kialegee Tribal Town.

SEC. 8. The Kialegee Tribal Town will exclude any member wishing to withdraw his or her membership from the Town upon receipt of $5.00.

SEC. 9. The Town membership shall have power to prescribe rules and regulations, subject to the approval of the Secretary of the Interior, covering future membership, including adoption, expulsion, and loss of membership.

ARTICLE IV — GOVERNING BODY

SECTION 1. The supreme governing body of the Town shall be the adult members of the Town, both male and female who are 21 years of age or older, through the actions of the Business Committee.

SEC. 2. The Business Committee of the Town shall consist of the elected officers and all members of the Advisory Committee.

SEC. 3. The Business Committee shall have power to transact business or otherwise speak or act on behalf of the Town in all matters on which the Town is empowered to act. The powers of the Town shall be set forth in the Corporate Charter of the Town.

ARTICLE V — OFFICERS

The officers of the Kialegee Tribal Town shall be the Town King, 1st Warrior, 2nd Warrior, Secretary and the Treasurer.

ARTICLE VI — ELECTIONS

SECTION 1. Within 30 days after the adoption of this Constitution and Bylaws, the Town membership shall hold an election of officers. The elected officers shall serve until the annual Town membership meeting on the second Thursday in June 1941, and the regular elections of officers shall be held on the second Thursday in June of each second year thereafter.

SEC. 2. The elected officers of the Town shall elect and appoint five members to serve as an Advisory Committee and three members to serve as the Grievance Committee. Their term of office shall be the same as elected officers. The members of the Grievance Committee shall not include any members of the Business Committee.

SEC. 3. Elections shall be by standing vote, a majority vote of the membership present being necessary to elect officers.

SEC. 4. Eligible voters shall be both male and female members of the Town who are 21 years of age or older.

SEC. 5. Nominations for officers may be made from the floor until closed by motion.

SEC. 6. The newly elected officers shall be installed immediately upon their elections by the retiring King or Warrior.

ARTICLE VII — VACANCIES

Vacancies in any elective office shall be filled for the unexpired term by a majority vote of those present at any regular meeting of the Town membership.

ARTICLE VIII — REMOVAL OF OFFICERS

SECTION 1. The Grievance Committee shall investigate complaints of misconduct in office by an elective officer and upon proper showing shall present the complaints at any regular meeting of the Town membership. The Town membership shall have power, by a majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

SEC. 2. The Grievance Committee shall investigate the complaints of misconduct in office of any member of the Advisory Committee and upon good showing shall present the complaints at any regular meeting of the Town membership. The Town membership shall have power, by a majority vote, after giving the accused a proper hearing, to remove him from office. The appointment of a successor for the unexpired term shall be left to the elected officers as provided in Section 2 of Article VI.

ARTICLE IX — BILL OF RIGHTS

SECTION 1. All members of this Town shall enjoy equally without hindrance, free-

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dom of worship, conscience, speech, press, assembly and association.

SEC. 2. This Constitution and Bylaws shall not in any way alter, abridge, or otherwise jeopardize the rights and privileges of the members of this Town as citizens of the State of Oklahoma and the United States.

SEC. 3. The individual property rights of any member of this Town shall not be altered, abridged, or otherwise affected by the provisions of this Constitution and Bylaws without the consent of such individual member.

ARTICLE X — AMENDMENTS

Amendments to this Constitution and the attached Bylaws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 percent of the adult members of the Town and, if approved by the Secretary of Interior, shall be submitted to a referendum vote of the adult members of the Town and shall be effective if approved by a majority of the votes cast, provided that at least 30 percent of the eligible voters vote.

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BYLAWS

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. The Town King shall preside at all meetings of the Town and of the Business Committee. He shall have general supervision of the affairs of the Town and of the Business Committee and shall perform all duties appertaining to the office of Chairman. He shall vote only in case of a tie. He shall countersign all checks, issued by the Treasurer of the Town, drawn on Kialegee Tribal Town funds.

SEC. 2. The 1st Warrior shall perform the duties of the Town King in case of the King's absence. In case of vacancy in the King's office, the 1st Warrior shall succeed at once to that office until the next regular meeting of the Town. Then an election of the Town King shall be held as provided under Article VII of the Town Constitution.

SEC. 3. The 2nd Warrior shall be the spokesman for the Town, or for the Business Committee, before any other Indian organization or before any officials of the State of Oklahoma and the United States.

SEC. 4. The Secretary shall keep an accurate record of all proceedings and official papers of the Town and of the Business Committee.

He shall be responsible for the handling of all correspondence pertaining to the business of the Town and of the Business Committee.

He shall keep a correct list of all members of the Town.

He shall authenticate all accounts or orders of the Town.

All official records of the Secretary shall be open to inspection by the members of the Town, in the presence of the Secretary, upon order of the Grievance Committee.

He shall render a written annual report at the annual meeting of the Town.

At the expiration of his term of office, the records and all papers of the Town in his possession shall be turned over to his successor.

SEC. 5. The Treasurer shall be the custodian of all funds in possession of the Town from any source. He shall keep an accurate record of all such funds and shall disburse the same in accordance with the order of the Business Committee. He shall disburse money in checks and all checks must be countersigned by the Town King.

He shall keep all tribal moneys entrusted to his care in a special account. At any time when such account shall amount to more than $50.00 he shall furnish and file a bond satisfactory to the Business Committee and to the Commissioner of Indian Affairs.

The cost of such bond shall be paid out of tribal money until the Business Committee rules it different. He shall render a written report at the annual meeting of the Town, and at such times as he is requested to do so by the Business Committee. At the expiration of his term of office, the records and all papers and moneys or securities in his possession shall be turned over to his successor.

SEC. 6. The duty of the Advisory Committee shall be to advise, instruct and assist the elected officers in managing and carrying out the purposes of this Constitution and Bylaws.

SEC. 7. The duty of the Grievance Committee shall be the investigation of the members of the Business Committee in performing their duties in respective offices.

ARTICLE II — HEADQUARTERS

The meeting place of the Kialegee Tribal Town shall be at Martin Givens' residence two miles north of Wetumka, Oklahoma, until and unless the officers deem it convenient to hold such meetings at another place.

ARTICLE III — MEETINGS

SECTION 1. The annual meeting of the Town membership shall be the second Thursday in June of each year for the purpose of receiving reports of officers and transacting business which may come regularly before the Town.

SEC. 2. There shall be a quarterly meeting of the Town membership on the second Thursday in September, December, March, and June of each year.

SEC. 3. Special meetings of the Town membership may be called by the Town King at his discretion and must be called by him upon the request of a majority of the Business Committee members.

SEC. 4. The regular meetings of the Business Committee shall be held on the first Tuesday in each month unless otherwise provided by resolution.

SEC. 5. Special meetings of the Business Committee may be called by the Town King at his discretion and must be called by him upon the request of a majority of the members of the Business Committee.

SEC. 6. The object of any special meeting must be stated in the call, and no other business can be transacted except that stated in the call.

ARTICLE IV — ORDER OF BUSINESS

The order of business of the Town and of the Business Committee shall be as follows:

(1) Call to order by the Town King or by the 1st Warrior in the absence of the Town King;
(2) Invocation by one selected by the presiding officer;
(3) Roll call by the Secretary;
(4) Ascertainment of a quorum in Business Committee meetings;
(5) Reading of minutes of previous meeting by Secretary;
(6) Approval of minutes by vote;
(7) Actions on unfinished business;
(8) New business may be presented for action;
(9) Open Forum;
(10) Adjournment.

ARTICLE V — QUORUM OF BUSINESS COMMITTEE

Seven or more members of the Business Committee shall constitute a quorum to transact business at any meeting.

ARTICLE VI — QUALIFICATION OF OFFICERS

Any elected officer or appointed member of a committee shall not be less than 21 years nor over 60 years of age. Each elected officer and each member of any committee must be well fitted to execute the duties of the office in which he is to act in the interest and general welfare of the Town.

Any person holding an elective or appointive office who moves away from the State of Oklahoma shall automatically lose his office.

ARTICLE VII — ADOPTION

This Constitution and Bylaws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the members of the Kialegee Tribal Town voting at an election called by the Secretary of the Interior under rules and regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of Congress approved June 26, 1936 (49 Stat. 1967).

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and Bylaws of the Kialegee Tribal Town of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary.

WASHINGTON, D.C., April 14, 1941.

[SEAL]

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CERTIFICATION

Pursuant to an order, approved April 14, 1941, by the Assistant Secretary of the

Interior, the attached Constitution and Bylaws was submitted for ratification to the members of the Kialegee Tribal Town of Oklahoma and was on June 12, 1941, duly approved by a vote of 39 for, and 17 against, in an election in which over 30 percent of those entitled to vote cast their ballots pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

ALBERT COACHMAN,
Chairman, Kialegee Tribal Town.

LOUIS KING,
Secretary, Kialegee Tribal Town.

A. M. LANDMAN,
Supt., Five Civilized Tribes.

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CORPORATE CHARTER OF THE KICKAPOO TRIBE OF OKLAHOMA

Ratified January 18, 1938

Whereas, the Kickapoo Tribe of Oklahoma constitutes a recognized Tribe of Indians residing in Oklahoma, organized under a constitution and by-laws approved by the Assistant Secretary of the Interior on August 18, 1937, and ratified by the Indians of the said tribe on September 18, 1937, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said tribe, by resolution of the Kickapoo Business Committee duly authorized, has requested that a charter of incorporation be issued to the said tribe, subject to ratification by a vote of the members of the Tribe;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 26, 1936, do hereby issue this Charter of incorporation to the Kickapoo Tribe of Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Kickapoo Tribe voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 per cent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Kickapoo Tribe of Oklahoma shall be:

(a) To define and safeguard the rights and powers of the Kickapoo Tribe of Oklahoma and its members.

(b) To advance the standard of living of the Tribe through the development of tribal resources, the acquisition of new tribal land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Tribe.

(c) To promote in any other way the general welfare of the Indians of the Kickapoo Tribe of Oklahoma.

2. Name, Membership and Organization. The name of this corporation shall be the Kickapoo Tribe of Oklahoma, as provided in the Constitution and By-laws of the said tribe. The membership, the officers, and the management of the incorporated Tribe shall be as provided in the said constitution and by-laws.

3. Corporate Powers. The Kickapoo Tribe of Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and By-laws of the Tribe, and subject to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any court: Provided, however, That the grant or exercise of such power shall not be deemed a consent by the Tribe or by the United States to the levy of any judgment, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the Tribe may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984) and Section 6 of the Act of June 26, 1936 (49 Stat. 1967) or from any other governmental agency, or from any member or association of members of the Tribe.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Kickapoo Tribe.

(i) To employ counsel for the protection and advancement of the rights of the Tribe and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal land to members of the Tribe, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Kickapoo Tribe.

(n) To regulate the manner of holding tribal elections.

(o) To regulate the procedure of the Council and Business Committee and all other tribal committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Kickapoo Tribe.

(q) To purchase, take by gift, bequest or otherwise, own, hold, manage, operate, and dispose of property of every description, real or personal.

(r) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(s) To protect all rights guaranteed to the Kickapoo Tribe of Oklahoma by treaty.

(t) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(u) To exercise such further powers as may in the future be delegated to the Tribe by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitations of Corporate Powers. The foregoing corporate powers shall be subject to the following limitations:

(a) No tribal land or interest in land shall ever be sold or mortgaged.

(b) No tribal land or interest in land shall be leased for a longer period than ten years, except that oil, gas or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (49 Stat. 984).

(d) No assignment of future income, other than assignments to the United States, shall be made for more than five years in advance.

(e) In any attorney's contract hereafter executed by the Tribe, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Tribe shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representative:

(a) Any contract involving a payment by the Tribe of more than $2,000, or of more than $1,200 in any one year.

(b) Any transaction by which the Tribe borrows money where such borrowing brings the total indebtedness of the Tribe, aside from loans from the Indian Credit Fund, to a figure in excess of $500.

(c) Any resolution or ordinance governing the making of land assignments to members of the Tribe, the acquisition of land from members of the Tribe, or use of tribal land by individuals.

(d) Any lease, grazing permit, or other contract affecting tribal land, tribal minerals, or other tribal interest in land.

(e) Any per capita distribution of corporate income to members of the Tribe, in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter, any power of review established by Section 5 may be terminated by the Secretary of the Interior with the consent of the Kickapoo Council. At or before the expiration of this ten-year period, the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the Kickapoo Council.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Kickapoo Tribe of Oklahoma, not expressly referred to in the Constitution, By-laws or Charter of the said tribe, shall not be abridged, but may be exercised by the people of the Kickapoo Tribe of Oklahoma, through the adoption of appropriate additions and amendments to the Constitution and By-laws or Charter of the said tribe. No property rights or claims of the Kickapoo Tribe existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The Tribal ownership of unallotted lands, whether or not occupied by any particular individual, is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any debts or liabilities without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an Act of Congress, but amendments may be proposed by a majority vote of the Business Committee or by a petition signed by 30 percent of the adult members of the Tribe. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all adult members of the Tribe, and shall be effective if approved by a majority vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Kickapoo Tribe of Oklahoma, provided that at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Shawnee Indian Agency and the Chairman and Secretary of the Tribe.

Submitted by the Assistant Secretary of the Interior for ratification by the Kickapoo Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

WASHINGTON, D.C., December 11, 1937. [SEAL]

***

CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Charter, issued on December 11, 1937 by the Assistant Secretary of the Interior to the Kickapoo Tribe of Oklahoma was duly submitted for ratification to the adult members of the Tribe, and was on January 18, 1938 duly ratified by a vote of 45 for and 12 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

FRANCIS ALLEN,
Chairman of the Kickapoo Tribe.

DWIGHT KISHKETON,
Secretary-Treasurer of the
Kickapoo Tribe.

F. E. PERKINS,
Superintendent of the Shawnee Indian Agency.

***

CONSTITUTION AND BY-LAWS OF THE KICKAPOO TRIBE OF OKLAHOMA

Ratified September 18, 1937

PREAMBLE

We, the Kickapoo Indians of Oklahoma, in order to promote our common welfare and to secure to ourselves and our descendants the rights, powers and privileges offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat.1967), do establish this organization and adopt the following Constitution and Bylaws pursuant to that Act.

ARTICLE I — NAME

The name of this organization shall be the Kickapoo Tribe of Oklahoma.

ARTICLE II — MEMBERSHIP OF TRIBE

The membership of the Kickapoo Tribe of Oklahoma shall consist of the following persons:

SECTION 1. All living original Kickapoo of Oklahoma allottees and all living descendants of the original allottees of Kickapoo of Oklahoma Indian blood born prior to the effective date of this amendment, provided such persons have not elected to be enrolled with another tribe, and provided further, that anyone born prior to the date of ratification of this amendment who has qualified for membership under Article II of the constitution as originally adopted by the tribe, but who does not qualify for membership under this amendment shall be enrolled as a member if he files a notification in writing that he desires to continue his membership in the Kickapoo Tribe of Oklahoma and if he is not enrolled as a member of another tribe.

SEC. 2. All persons of one-fourth or more degree of Kickapoo of Oklahoma Indian blood born to members after the effective date of this amendment, provided such persons elect not to be enrolled with another tribe.

SEC. 3. The business committee shall have the power to make rules and regulations, subject to review of the Secretary of the Interior, governing the adoption of members.

[Amendment I, Approved July 7, 1961, Ratified September 16, 1961, Amends Article II in its entirety.]

ARTICLE III — MEMBERSHIP OF COUNCIL

The supreme governing body of the tribe shall be the Kickapoo Council. The membership of the council shall be all the members of the Kickapoo Tribe, 21 years of age and older.

[Amendment 2, Approved July 7, 1961, Ratified September 16, 1961.]

ARTICLE IV — OFFICERS

SECTION 1. The officers of this tribe shall be the chairman, vice-chairman, secretary, treasurer, and one councilman. The term of officers shall be for two years, or until their successors are elected and installed.

ARTICLE V — COMMITTEES

SECTION 1. There shall be a business committee which shall consist of the officers and councilman as provided in Article IV. This committee shall have power to transact business and otherwise speak or act on behalf of the tribe in all matters on which the tribe is empowered to act. The powers of the tribe shall be set forth in detail in the corporate charter to be requested by the business committee.

SEC. 2. Grievance Committee.—This committee shall consist of three members who shall be elected by the council and shall not include any members of the business committee.

ARTICLE VI — MEETINGS

SECTION 1. Annual meetings of the council shall be held on the second Saturday of June of each year with the time and place being designated by the business committee which will announce and have published notices of the meetings at least ten days prior to the meeting.

[Amendment 3, Approved July 7, 1961, Ratified September 16, 1961.]

SEC. 2. Special meetings of the council may be called at the discretion of the chairman, and shall be called by him upon the written request of a majority of the business committee or upon the written request of twenty-five members of the tribe or pursuant to a vote of the council at any meeting, provided that at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of a special council meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added no other business can be transacted except for the object stated in the call.

SEC. 4. The regular meetings of the business committee shall be held on the second Saturday of January, April, July and October of each year, except that the chairman may designate another day of the week for the regular meeting by giving five days notice to all business committee members.

[Amendment 3, Approved July 7, 1961, Ratified September 16, 1961.]

SEC. 5. Special meetings of the business committee may be called by the chairman at his discretion, and shall be called by him upon the written request of three members of the business committee.

ARTICLE VII — ELECTIONS

SECTION 1. Within 30 days after the adoption of this Constitution and Bylaws, an election of officers and members of the Grievance Committee shall be held by the council. The officers and members of the Grievance Committee elected at this election shall serve till the next regular election provided for in Section 2 of this Article or until their successors are elected and installed.

SEC. 2. Regular elections of officers and members of the Grievance Committee shall be held by the council at its regular annual meeting on the first Wednesday in June, 1939, and on the first Wednesday in June of each second year thereafter, except that after the adoption of this amendment the election will be held on the second Saturday of June of every other year at the time and place as set out in the Amended Section 1 of Article VI of this Constitution.

[Amendment 4, Approved July 7, 1961, Ratified September 16, 1961.]

SEC. 3. Election shall be by standing vote, a majority vote of the membership present being necessary to elect. Where there are more than two candidates for an office and no one receives a majority vote, the low candidate shall be eliminated and voting shall proceed until one candidate receives a majority of the votes cast. Nominations may be made from the floor. The newly elected officers shall be installed immediately upon their elections.

ARTICLE VIII — VACANCIES

Vacancies in any elective office shall be filled for an unexpired term at any special or regular meeting of the business committee.

[Amendment 5, Approved July 7, 1961, Ratified September 16, 1961.]

ARTICLE IX — REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct in office of the members of the business committee and upon a proper showing shall call a special meeting of the council to act upon such complaints. The council shall have power, by a majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

ARTICLE X — BILL OF RIGHTS

SECTION 1. All members of the tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This Constitution shall not in any way alter, abridge or otherwise jeopardize the rights and privileges of the members of this tribe as citizens of the State of Oklahoma or the United States.

SEC. 3. The individual property rights of any member of the tribe shall not be altered, abridged or otherwise affected by the provisions of this Constitution and Bylaws without the consent of such individual member.

ARTICLE XI — AMENDMENTS

Amendments to this Constitution and the attached Bylaws may be proposed by a majority vote of the business committee or by a petition signed by thirty percent of the adult members of the tribe, and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the tribe, and shall be effective if approved by a majority of the votes cast.

BYLAWS OF THE KICKAPOO TRIBE OF OKALHOMA

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. Chairman.—The chairman shall preside at all meetings of the council and of the business committee. He shall have general supervision of the affairs of the council and of the business committee and shall perform all duties appertaining to the office of chairman.

SEC. 2. Vice-Chairman.—In the absence of the chairman, the vice-chairman shall perform the duties of that office. In case of vacancy, the vice-chairman shall succeed at once to the office of the chairman until the next special or regular election for the office of chairman.

SEC. 3. Secretary.—The secretary shall keep an accurate account of all proceedings and official records of the council and of the business committee. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the council and of the business committee. All official records of the secretary shall be open to inspection by the members of the council, in the presence of the secretary, upon the order of the Grievance Committee. He shall keep a correct list of all members of the council, shall authenticate all accounts or orders of the council,and, in the absence of the chairman and vice-chairman shall call meetings to order until a chairman pro tem is elected. He shall render a written report at the annual council meeting and, at the expiration of his term of office, the records and all papers in his possession shall be turned over to his successor.

SEC. 4. Treasurer.—The treasurer shall be the custodian of all funds in possession of the council from any source. He shall keep an accurate record of all such funds and shall disburse the same in accordance with the vote of the business committee. He shall render a written report at the annual council meeting and at such times that he is requested to do so by the business committee. He shall keep all tribal moneys entrusted to his care in a special account. At any time that such account shall amount to more than $50, he shall file a bond satisfactory to the business committee, and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal money. At the expiration of his term of office, the records and all papers and funds in his possession shall be turned over to his successor.

ARTICLE II — QUALIFICATIONS OF OFFICERS

Any person elected to membership on the business committee shall be not less than 21 years of age and a member of the Kickapoo Tribe of Oklahoma. At the time of his election he shall be a bona fide resident of the State of Oklahoma and any person holding an elective office removing from the State of Oklahoma shall automatically lose office. Any person holding an elective office who misses three regularly called meetings in succession shall automatically lose office.

[Amendment 6, Approved July 7, 1961, Ratified September 16, 1961.]

ARTICLE III — PLACE OF MEETINGS

All regular and special meetings of the council and the business committee shall be held as specified by the business committee. The time and place of meeting shall be designated by the business committee in its call or notice of meeting.

[Amendment 7, Approved July 7, 1961, Ratified September 16, 1961.]

ARTICLE IV — QUORUM

SECTION 1. Twenty-five members of the council shall constitute a quorum to transact business at any meeting.

SEC. 2. Three members of the business committee shall constitute a quorum to transact business at any meeting.

ARTICLE V — ADOPTION

This Constitution and Bylaws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the members of the Kickapoo Tribe of Oklahoma voting at an election called by the Secretary of the Interior under rules and regulations promulgated pursuant to Section 3 of the Oklahoma Welfare Act of June 26, 1936.

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[Original document approved by the Assistant Secretary of the Interior on August 18, 1937, ratified by the qualified voters on September 18, 1937.]

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CORPORATE CHARTER OF THE MIAMI TRIBE
OF OKLAHOMA

Ratified June 1, 1940

Whereas, the Miami Tribe of Oklahoma constitutes a recognized tribe of Indians residing in Oklahoma, organized under a constitution and by-laws approved by the Assistant Secretary of the Interior on August 16, 1939, and ratified by the Indians of the said Tribe on October 10, 1939, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967); and

Whereas, the said Tribe, by resolution of the Miami Business Committee duly authorized, has requested that a charter of incorporation be issued to the said Tribe, subject to ratification by a vote of the members of the Tribe;

Now, therefore, I, W. C. Mendenhall, Acting Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 26, 1936, do hereby issue this charter of incorporation to the Miami Tribe of Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Miami Tribe voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote.

1. Corporate Purposes. The corporate purposes of the Miami Tribe of Oklahoma shall be:

(a) To define and safeguard the rights and powers of the Miami Tribe of Oklahoma and its members;

(b) To advance the standard of living of the Tribe through the development of tribal resources, the acquisition of new tribal land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Tribe;

(c) To promote in any other way the general welfare of the Indians of the Miami Tribe of Oklahoma.

2. Name, Membership, and Organization. The name of this corporation shall be the Miami Tribe of Oklahoma, as provided in the Constitution and By-laws of the said tribe. The membership, the officers, and the management of the incorporated tribe shall be as provided in the said constitution and by-laws.

3. Corporate Powers. The Miami Tribe of Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and By-laws of the Tribe, and subject to the limitations of Sections 4 and 5 of this Charter, shall have the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

(a) To have succession by its corporate name perpetually.

(b) To sue and be sued; to complain and defend in any court: Provided, however, That the grant or exercise of such power shall not be deemed a consent by the Tribe or by the United States to the levy of any judgment, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.

(c) To make and use a common seal and alter the same at pleasure.

(d) To appoint such subordinate officers and agents as the business of the Tribe may require, and to allow them suitable compensation.

(e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.

(f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), and Section 6 of the Act of June 26, 1936 (49 Stat. 1967), or from any other governmental agency, or from any member or association of members of the Tribe, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or associations of members of the Tribe: Provided, That the amount of indebtedness to which the Tribe may subject itself, aside from loans from the Indian Credit Fund, shall not exceed $150 except with the express approval of the Secretary of the Interior.

(g) To deposit corporate funds in a National Bank within the State of Oklahoma or in the Postal Savings Bank or with a bonded disbursing officer of the United States.

(h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Miami Tribe of Oklahoma.

(i) To employ counsel for the protection and advancement of the rights of the Tribe and its members.

(j) To prevent any disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal assets.

(k) To advise the Secretary of the Interior with regard to appropriation estimates or Federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(l) To make assignments of tribal land to members of the Tribe, and to regulate the use and disposition of such assignments.

(m) To appropriate available funds for public purposes of the Miami Tribe of Oklahoma.

(n) To regulate the manner of holding tribal elections.

(o) To regulate the procedure of the Council and Business Committee and all other tribal committees and officers.

(p) To protect and preserve the property, natural resources, crafts and traditions of the Miami Tribe of Oklahoma.

(q) To purchase, take by gift, bequest or otherwise, own, hold, manage, operate, and dispose of property of every description, real or personal, subject to the limitations of Sections 4 and 5 of this Charter.

(r) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(s) To protect all rights guaranteed to the Miami Tribe of Oklahoma by treaty.

(t) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(u) To exercise such further powers as may in the future be delegated to the Tribe by the Secretary of the Interior or by any duly authorized officer or agency of government.

4. Limitations of Corporate Powers. The foregoing powers shall be subject to the following limitations:

(a) No tribal land or interest in land shall ever be sold or mortgaged.

(b) No tribal land or interest in land shall be leased for a longer period than ten years, except that oil, gas or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering tribal land shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under Section 6 of the Act of June 18, 1934 (48 Stat. 984).

(d) No assignment of future corporate income shall be made for more than five years in advance, except as security for a loan which has been used to create such income.

(e) In any attorney's contract hereafter executed by the Tribe, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Tribe shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

5. Departmental Review of Corporate Acts. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representative:

(a) Any contract involving a payment by the Tribe of more than $300, or of more than $100 in any one year.

(b) Any transaction by which the Tribe borrows money where such borrowing brings the total indebtedness of the Tribe, aside from loans from the Indian Credit Fund, to a figure in excess of $150.

(c) Any resolution or ordinance governing the making of land assignments to members of the Tribe, the acquisition of land from members of the Tribe, or the use of tribal land by individuals.

(d) Any lease, grazing permit, or other contract affecting tribal land, tribal minerals, or other tribal interest in land.

(e) Any per capita distribution of corporate income to members of the Tribe in excess of $200 in any one year.

6. Extension and Termination of Supervisory Powers. At any time within ten years after the ratification of this Charter, any power of review established by Section 5 may be terminated by the Secretary of the Interior with the consent of the Miami Council. At or before the expiration of this ten-year period, the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the Miami Council.

7. Corporate Rights and Property. Any rights and powers heretofore vested in the Miami Tribe of Oklahoma, not expressly referred to in the Constitution, By-laws or Charter of the said Tribe, shall not be abridged, but may be exercised by the people of the Miami Tribe of Oklahoma, through the adoption of appropriate additions and amendments to the Constitution, By-laws or Charter of the said Tribe. No property rights or claims of the Miami Tribe existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The tribal ownership of unallotted lands, whether or not occupied by any particular individual, is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any corporate debts or liabilities without such owners' consent.

8. Amendments. This Charter shall not be revoked or surrendered except by an act of Congress, but amendments may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the Tribe. Such amendments, if approved by the Secretary of the Interior, shall be submitted to a referendum vote of all the adult members of the Tribe, and shall be effective if approved by a majority vote.

9. Ratification. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Miami Tribe of Oklahoma, provided that at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Quapaw Agency and by the Chief and Secretary-Treasurer of the Tribe.

Submitted by the Acting Assistant Secretary of the Interior for ratification by the Miami Tribe.

W. C. MENDENHALL,
Acting Assistant Secretary.

WASHINGTON, D.C., April 15, 1940. [SEAL]

***

I, W. C. Mendenhall, the Acting Assistant Secretary of the Interior of the United

States of America, by virtue of the authority granted me by the Act of June 26,1936 (49 Stat. 1967), do hereby approve the attached charter of the Miami Tribe of Indians of Oklahoma, subject to ratification by the Tribe in the manner therein provided.

Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Charter and the Constitution and By-laws, approved by me August 16, 1939, and duly ratified by the Tribe on October 10, 1939, are declared inapplicable to the Miami Tribe of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws, and the Charter if, and when, ratified by the Tribe.

Approval recommended April 5, 1940.

F. H. DAIKER,
Assistant to the Commissioner of Indian Affairs.

W. C. MENDENHALL,
Acting Assistant Secretary.

[SEAL]

WASHINGTON, D.C., April 15, 1940.

***

CERTIFICATION

Pursuant to Section 3 of the Act of June 26, 1936 (49 Stat. 1967), this Charter, issued on April 15, 1940, by the Acting Assistant Secretary of the Interior to the Miami Tribe of Oklahoma was duly submitted for ratification to the adult members of the Tribe, and was on June 1, 1940, duly accepted by a vote of 51 for, and none against, in an election in which over 30 percent of those entitled to vote cast their ballots.

HARLEY T. PALMER,
Chief, Miami Tribe.

MARIE LUCAS DOWNING,
Secretary-Treasurer, Miami Tribe.

H. A. ANDREWS,
Supt., Quapaw Indian Agency.

***

CONSTITUTION AND BY-LAWS OF THE MIAMI TRIBE OF OKLAHOMA

Ratified October 10, 1939

PREAMBLE

We, the Miami Indians of Oklahoma, in order to take advantage of the opportunities of economic independence and social advancement offered by the Thomas-Rogers Indian Welfare Act of June 26, 1936 (49 Stat. 1967), do adopt the following Constitution and By-laws pursuant to that Act.

ARTICLE I — NAME

The name of this organization shall be the Miami Tribe of Oklahoma.

ARTICLE II — MEMBERSHIP OF TRIBE

SECTION 1. The membership of the Miami Tribe of Oklahoma shall consist of the following persons:

(a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of January 1, 1938.

(b) All children born since the date of the said roll, both of whose parents are members of the Tribe.

(c) Any child born of a marriage between a member of the Miami Tribe and a member of any other Indian tribe who chooses to affiliate with the Miami Tribe.

(d) Any child born of a marriage between a member of the Miami Tribe and any other person, if such child is admitted to membership by the Council of the Miami Tribe.

SEC. 2. The Council shall have power to prescribe rules and regulations, subject to the approval of the Secretary of the Interior, covering future membership including adoptions and the loss of membership.

SEC. 3. [See Amendment I].

ARTICLE III — MEMBERSHIP OF COUNCIL

The supreme governing body of the Tribe shall be the Miami Council. The membership of the Miami Council shall be all the Miami Indians residing in Oklahoma; Males, 21 years of age; and females, 21 years of age.

ARTICLE IV — OFFICERS

The officers of the Tribe shall be the Chief, Second Chief, Secretary-Treasurer, and two councilmen, who shall be elected at an open Council meeting by a majority vote of the membership present.

ARTICLE V — COMMITTEES

SECTION 1. There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article IV. The Business Committee shall have power to appoint subordinate committees and representatives, to transact business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act. The powers of the Tribe shall be set forth in detail in the corporate charter which may be requested by the Business Committee.

SEC. 2. Grievance Committee.—This Committee shall consist of three members who shall be elected by the membership of the Council and shall not include any members of the Business Committee. The term of office shall be for three years.

ARTICLE VI — ELECTIONS

SECTION 1. Regular elections of officers shall be held by the Council on the first Tuesday of September 1939, and each third year thereafter.

SEC. 2. The term of office shall be for three years or until their successors are elected and installed, provided that the present officers shall serve until the first regular election.

SEC. 3. Nominations shall be made from the floor. Election shall be by standing vote or by written ballot, a majority vote being necessary to elect. When there are more than two candidates and no one receives a majority vote the low candidate shall be eliminated and voting proceed until one candidate receives a majority of votes cast. The newly elected officers shall be installed immediately upon their election.

ARTICLE VII — VACANCIES

Vacancies in any elective office shall be filled at any regular or special meeting of the Miami Council.

ARTICLE VIII — REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and upon a proper showing shall call a special meeting of the Miami Council to act upon such complaints. Such Council shall have power, by a majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

ARTICLE IX — AMENDMENTS

Amendments to this Constitution and the attached By-laws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the Tribe, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the Tribe, and shall be effective if approved by a majority vote of those voting in the election.

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BY-LAWS OF THE MIAMI TRIBE OF OKLAHOMA

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. Chief.—It shall be the duty of the Chief to preside at all meetings and perform all duties appertaining to the office, also to act as chairman of the Business Committee.

SEC. 2. Second Chief.—In the absence of the Chief, or during procedure to remove him, the Second Chief shall perform the duties of that officer. In case of vacancy, the Second Chief shall succeed at once to the office of the Chief until the next special or regular election for the office of Chief.

SEC. 3. Secretary-Treasurer.—The Secretary-Treasurer shall correctly record the proceedings of all meetings. He shall make out the order of the business for the Chief, shall notify all committees of their appointments, shall have custody of the records and all papers of the Council, which records and papers shall be open to inspection at any time, in his presence, by any member of the Council desiring to read them. He shall keep a correct list of all members of the Council, shall authenticate all accounts or orders of the Council and, in the absence of the Chief and Second Chief, shall call the meeting to order until a chairman pro tem is selected. He shall render a written report at the annual meeting and at the expiration of his term of office records and all papers in his possession shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence, as directed by the Council or the Business Committee. He shall receive all moneys of the Council and keep an accurate account of receipts and disbursements.

The Secretary-Treasurer shall keep all tribal moneys entrusted to his care in a special account and all disbursements therefrom should be made by check. At any time that such account shall amount to more than $50.00, he shall file a bond satisfactory to the Business Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal moneys.

ARTICLE II — QUALIFICATIONS OF OFFICERS

Any person elected to membership in the Business Committee shall be not less than 25 years of age, a member of the Miami Tribe of Oklahoma and a resident of Oklahoma. Any member of the Business Committee removing from such territory shall automatically lose his office. [See Amendment II].

ARTICLE III — MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the first Tuesday of September for the purpose of receiving reports and transacting any other business which may come regularly before the Council.

SEC. 2. Special meetings of the Council may be called at the discretion of the Chief, and shall be called by him upon the written request of the majority of the Business Committee or upon the written request of ten members of the Tribe; Provided, That at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of the special meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added, no other business can be transacted except for the object stated in the call.

SEC. 4. Unless otherwise provided by resolution, the regular meetings of the Business Committee shall be held the second Tuesday in each month.

SEC. 5. Special meetings of the Business Committee may be called by the Chief at his discretion, and shall be called by him upon the written request of three members of the Business Committee.

SEC. 6. Unless some other point under the Quapaw Agency Jurisdiction is designated in the call or notice, all meetings of the Council and of the Business Committee shall be held at the Quapaw Indian Agency.

ARTICLE IV — QUORUM

SECTION 1. Three members of the Business Committee shall constitute a quorum at any meeting.

SEC. 2. Twenty-five members of the Miami Council shall constitute a quorum to transact regular business.

ARTICLE V — ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the qualified voters of the Miami Tribe voting at an election called by the Secretary of the Interior under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936: Provided, That at least 30 per cent of the eligible voters vote in such election.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and By-laws of the Miami Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D.C., August 16, 1939.

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CERTIFICATION OF ADOPTION

Pursuant to an order, approved August 16, 1939 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Miami Indian Tribe of Oklahoma and was on October 10, 1939 duly accepted by a vote of 55 for, and one against, in an election in which over 30 per cent of those entitled to vote cast their ballots, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

THE MIAMI TRIBAL BUSINESS COMMITTEE,

By HARLEY T. PALMER, Chief.
MARIE LUCAS DOWNING,
Secretary and Treasurer.

H. A. ANDREWS,
Superintendent, Quapaw Agency.

By J. A. PHIFER,
Deputy Disbursing Agent.

***

AMENDMENTS TO THE CONSTITUTION AND BY-LAWS OF THE MIAMI TRIBE OF OKLAHOMA

AMENDMENT I.

Article III of the Constitution, Membership of Council, shall be amended to read as follows:

> "The supreme governing body of the Tribe shall be the Miami Council. The membership of the Miami Council shall be all the Miami Indians; males, 21 years of age; and females, 21 years of age."

APPROVAL

I, John A. Carver, Jr., Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the foregoing Amendment I to the Constitution and By-laws of the Miami Tribe of Oklahoma.

Approval recommended:

JOHN O. CROW
Acting Commissioner of Indian Affairs.

JOHN A. CARVER, JR.
Assistant Secretary of the Interior

WASHINGTON, D.C., June 12, 1964 [SEAL]

CERTIFICATION

Pursuant to an order approved June 13, 1964, by the Assistant Secretary of the Interior, the attached Amendment I to the Constitution and Bylaws of the Miami Tribe of Oklahoma, was submitted for ratification to the adult members of the Miami Tribe, and on September 1, 1964, was duly ratified by a vote of 79 for, and 5 against, in an election called for that purpose in accordance with Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

FOREST D. OLDS
Chief, Miami Business Council

VIRGIL N. HARRINGTON
Area Director, Muskogee Area Office.

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AMENDMENT II.

Article II of the bylaws, Qualifications of Officers, shall be amended to read as follows:

> "Any person elected to membership in the Business Committee shall be not less than 25 years of age, a member of the Miami Tribe of Oklahoma, and shall reside within a 50-mile radius of Oklahoma. Any member of the Business Committee removing from such territory shall automatically lose his office."

APPROVAL

I, John A. Carver, Jr., Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the foregoing Amendment II to the Constitution and Bylaws of the Miami Tribe of Oklahoma.

Approval recommended:

JOHN O. CROW
Acting Commissioner of Indians Affairs.

JOHN A. CARVER, JR.
Assistant Secretary of the Interior

[SEAL]

WASHINGTON, D.C., June 12, 1964.

CERTIFICATION

Pursuant to an order approved June 12, 1964, by the Assistant Secretary of the Interior, the attached Amendment II, to the Constitution and Bylaws of the Miami Tribe of Oklahoma, was submitted for ratification to the adult members of the Miami Tribe, and on September 1, 1964, was duly ratified by a vote of 71 for, and 13 against, in an election called for that purpose in accordance with Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

FOREST D. OLDS
Chief, Miami Business Committee

VIRGIL N. HARRINGTON
Area Director, Muskogee Area Office.

***

AMENDMENT III.

Article III of the bylaws, Meetings, shall be amended as follows: Section 1 is amended to read as stated below, and Section 4 is to be removed and the subsequent sections renumbered.

> "SECTION 1. Annual meetings of the Council shall be held on the first Saturday after Labor Day in September for the purpose of receiving reports and transacting any other business which may come regularly before the Council."

APPROVAL

I, John A. Carver, Jr., Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the foregoing Amendment III to the Constitution and Bylaws of the Miami Tribe of Oklahoma.

Approval recommended:

JOHN O. CROW
Acting Commissioner of Indian Affairs.

JOHN A. CARVER, JR.
Assistant Secretary of the Interior.

WASHINGTON, D.C., June 12, 1964.

[SEAL]

CERTIFICATION

Pursuant to an order approved June 12, 1964, by the Assistant Secretary of the Interior, the attached Amendment III to the Constitution and Bylaws of the Miami Tribe of Oklahoma, was submitted for ratification to the adult members of the Miami Tribe, and on September 1, 1964, was duly ratified by a vote of 84 for, and 0 against, in an election called for that purpose in accordance with Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

FOREST D. OLDS
Chief, Miami Business Committee

VIRGIL N. HARRINGTON
Area Director, Muskogee Area Office.

***

AMENDMENT IV.

Article II of the Constitution, Membership of Tribe, shall be amended by adding a Section 3, which shall read as follows:

> "SEC. 3. No member of another tribe shall be eligible for membership in the Miami Tribe of Oklahoma; provided, however, the foregoing disqualification does not apply to persons who acquired membership in the Miami Tribe of Oklahoma before the effective date of this Section."

APPROVAL

I, John A. Carver, Jr., Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the foregoing Amendment IV to the Constitution and Bylaws of the Miami Tribe of Oklahoma.

Approval recommended:

JAMES E. OFFICER
Associate Commissioner of Indian Affairs

JOHN A. CARVER, JR.
Assistant Secretary of the Interior

WASHINGTON, D.C., August 31, 1964.

[SEAL]

CERTIFICATION

Pursuant to an order approved August 17 and 31, 1964, by the Assistant Secretary of the Interior, the attached Amendment IV to the Constitution and Bylaws of the Miami Tribe of Oklahoma, was submitted for ratification to the adult members of the Miami Tribe, and on September 1, 1964, was duly ratified by a vote of 64 for, and 20 against, in an election called for that purpose in accordance with Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

FOREST D. OLDS
Chief, Miami Tribe.

VIRGIL N. HARRINGTON
Area Director, Muskogee Area Office.

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THE OSAGE TRIBE OF INDIANS OF OKLAHOMA

> "The Osage Tribe is not an organized tribe under provisions of the Indian Reorganization Act, approved June 18, 1934 (48 Stat. 984), or the Oklahoma Welfare Act, approved June 26, 1936 (49 Stat. 1967), and therefore does not have a tribal constitution or by-laws."
>
> Howard Johnson, Superintendent
> Osage Agency, Pawhuska

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The Superintendent was kind enough, however, to send a Field Report of the Bureau of Indian Affairs completed in 1953 entitled, The Osage People and Their Trust Property. Several miscellaneous passages are reproduced here, from this publication, to explain Osage Tribal organization.

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Organization for Executive Decision.

"1. The Osage Council. This body consists of a principal chief, an assistant principal chief, and eight members of the council. They are elected for terms of 4 years each by the qualified electors of the tribe under regulations published in 25CFR, Part 18. The next election of tribal officers will be held on the first Monday in June 1954. Regular meetings of the council are held on the first Monday of each month. Special meetings may be called at any time by the principal chief or the Superintendent. All actions of the tribe in respect to management of its mineral resources, and in the management and disposition of certain other assets, originate in the tribal council, and are subject to the approval of the Secretary of the Interior. The tribal council performs important and influential advisory functions in the formulation and execution of administrative and legislative policies in respect to the management of individual and tribal trust assets, and in the appropriation by Congress of tribal funds for the administration of Osage affairs.

"2. The Osage Agency. The supervisory authority of the Secretary of the Interior in respect to the management of tribal assets, with minor exceptions, has been delegated to the Superintendent. Supervision of the leasing, development, and conservation of mineral resources, including collection of bonuses, rents, and royalties, is exercised through the Agency Branch of Minerals. Supervisory functions in respect to the issuance of permits to occupy town lots for dwelling purposes in the Osage village reserves is exercised through the Branch of Land, and in respect to the repair, maintenance, and use of tribal owned administrative facilities, through the Branch of Administration. The Superintendent and appropriate members of his staff attend all regular and special meetings of the tribal council, except those rare occasions when the council is closeted in executive session. Any proposed change in program or procedure, when initiated at the Agency level and affecting the tribal interest, or any group of tribal members is fully discussed with the council and action is usually deferred until agreement can be reached thereon, except the annual budget estimate of tribal funds for the administration of Osage affairs. In the latter case, if agreement cannot be reached within definite time limits, the differences are fully set out and transmitted through channels to the Central Office. When such disagreements have arisen in the past, the Council has been afforded an opportunity to present its case to the Central Office and to the appropriate committees of Congress." (Pp. xlviii-xlix).

"Osage Constitutional Government. A Constitution of the Osage Nation was adopted by the tribe on December 31, 1881, and a tribal government patterned after that of the Five Civilized Tribes was established. The government was organized with three divisions: a National Council vested with legislative authority; an Executive Unit consisting of principal chief, and an Executive Council composed of these officers and three Counselors appointed by the National Council upon recommendation of the principal chief; and a Judiciary System of a Supreme Court, Circuit Courts, and Lower Courts. Three delegates to the National Council and a sheriff were specified to be elected from each of five election districts encompassing the reservation area. The two chiefs were to be elected at large, and the judges of the Supreme Court and Circuit Courts were to be elected by members of the National Council. All officers of the government were to serve two-year terms.

"This tribal government of the Osages endured until 1900, when the Department of the Interior ordered its abolishment. The reasons for this action were set forth in the annual report of the Commissioner of Indian Affairs for the year 1900, as follows:

> 'A crisis in Osage governmental affairs was reached in the election of tribal officers in 1898. ...[and] in another dispute over the election of members of the national council.
>
> 'These and other considerations impelled the office, on February 21, 1900, to recommend the issuance of a Departmental order abolishing the Osage national government, excepting the national council and the offices of principal chief and assistant principal chief. Such an order was issued March 30. May 19 the office recommended the abolishment of the national council which was ordered by the Department May 21, 1900.
>
> 'The principal causes that led to the abolition of the Osage Tribal government were: (1) Acrimonious disputes between the two factions over elections; (2) entire absence of harmony between the Osage tribal officers and the Indian agent in the administration of tribal affairs; (3) the selection of ignorant men as officeholders, and (4) the profligate use of moneys received from permit taxes.'" (Pp. 11-12).

Tribal Organization.

"The Osage Tribe was excluded from the provisions of the Oklahoma Welfare Act (49 Stat. 1967), because of its objections on the ground that its tribal organization authorized by Section 9 of the Act of June 28, 1906 (34 Stat. 539), as amended by Section 7 of the Act of March 2, 1929 (45 Stat. 1478), is ample for its needs. The latter statutes in substance provide for the election each four years of a principal chief, assistant principal chief, and eight members of the council under regulations prescribed by the Secretary of the Interior. The existing Osage election regulations (25 CFR 18.4), provide that any member of the Osage Tribe 21 years of age or over, whose name appears on the quarterly annuity roll at the time of the last quarterly payment preceding the date of election is eligible to vote in tribal elections and hold tribal office. The provisions of the regulations concerning voting of absentee members of the tribe were adapted from the Oklahoma State election laws.

"The tribal council is authorized by law to grant leases on tribal property, subject to approval of the Secretary of the Interior; to determine the bonus value of any tract offered for lease for oil, gas, coal, or other minerals; and the tribal council, subject to approval of the Secretary of the Interior, may authorize the use of tribal funds for specific purposes in amounts additional to the tribal funds annually appropriated by the Congress for the support of Osage Agency and pay of tribal officers.

"The Osage Tribe does not have a constitution and by-laws or corporate charter. The tribal council functions somewhat like a board of directors of a corporation, but its authority is limited to the transactions involving tribal resources mentioned in the preceding paragraph. The council does not enact ordinances governing the conduct of members of the tribe and there are no tribal courts in existence on the reservation.

"In civil matters, Osage Indians may sue and be sued in state and Federal courts as in the case of other persons. The county courts of Oklahoma have jurisdiction in probate matters.

"The reservation area is 'Indian country' as defined in 18 USC, Section 1151, and state or Federal criminal jurisdiction in particular cases requires a consideration of the nature of the offense, the locus of the offense, and whether the persons involved are Indian or non-Indian. The subject of criminal jurisdiction is further complicated by the provisions of Article 1, Section 3 of the Oklahoma Constitution, which contains a disclaimer of jurisdiction over Indian lands until the Indian title is estinguished." (Pp. 48-49).

Organization for Executive Decision (cont'd.).

"1. The Osage Council. ...The statutory powers of the tribe, subject to the limitations mentioned, are listed below. The tribe, through its council, may:

(a) Provide for the sale of the tribal reserves, consisting of 197.5 acres at Grayhorse; 160 acres at Hominy; 160 acres adjacent to the townsite of Pawhuska; 17.3 acres in the reservoir reserve; and 87.5 acres included in the reserves for the Osage Agency and the Agent's residence, together with all buildings located on said reservations in the townsite of Pawhuska. (Ninth and Tenth subdivisions of Section 2, Act of June 28, 1906, 34 Stat. 539.)

(b) Makes leases for oil, gas, and other minerals in the tribal mineral reserve. (Section 3, Act of June 28, 1906, supra.)

(c) Offer not less than 25,000 acres during any one year of the unleased portion of the tribal mineral reserve for lease for oil and gas mining purposes. (Section 3, Act of June 24, 1938, 52 Stat. 1034.)

(d) Determine the bonus value of any tract offered for lease for oil, gas, and other mining purposes. (Act of July 25, 1947, 61 Stat. 460.)

(e) Determine the royalties to be paid to the Osage Tribe under any mineral lease made by the council. (Act of June 15, 1950, 64 Stat. 215.)

"The tribal council also performs important and influential advisory functions in the formulation and execution of administrative and legislative policies in respect to the management of individual and tribal trust assets, and in the appropriation by Congress of tribal funds for the administration of Osage affairs. (Pp. 139-140).

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Tribal Affairs.

"Act of June 28, 1906 (34 Stat. 539). Section 9 provided for the biennial election of officers of the tribe, such officers to be a principal chief, an assistant principal chief, and eight members of the Osage tribal council. The Section provided that elections should be held in a manner to be prescribed by the Commissioner of Indian Affairs; that in case of a vacancy in the office of the principal chief, the assistant principal chief should succeed to the office; that vacancies in the tribal council should be filled in a manner to be prescribed by the council; and that the Secretary of the Interior should have authority to remove from the council any member for good cause, such cause to be determined by the Secretary."

"Act of March 2, 1929 (45 Stat. 1478). Section 7 amended Section 9 of the Act of June 28, 1906, supra, to provide for quadrennial instead of biennial elections of tribal officers, such officers to hold office for 4 years instead of for 2 years as provided by the former Act; to provide for filling vacancies in any of the tribal offices, including that of principal chief, in a manner to be prescribed by the tribal council; to provide that the Secretary shall remove a member of the tribal council for cause only after such member has had an opportunity to appear and defend himself; and to provide that the tribal government as constituted by the Section shall continue to January 1, 1959.

Pursuant to the above mentioned provision in the Act of June 28, 1906, as amended by this Act of March 2, 1929, that elections of tribal officers shall be held in a manner to be prescribed by the Commissioner of Indian Affairs, Part 18 of Title 25, Code of Federal Regulations, prescribes the election procedure.

The tribal council has not formally prescribed a method of filling vacancies in the tribal offices, as provided by the statutes above mentioned, but in practice all vacancies are filled by majority vote of the council." (Pp. 190-191).

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